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**SUBSTITUTE HOUSE BILL 1734**

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**State of Washington**

**60th Legislature**

**2007 Regular Session**

**By** House Committee on State Government & Tribal Affairs (originally sponsored by Representatives Haigh, Chandler, McDermott, Hunt, Armstrong, Kretz and Ormsby)

READ FIRST TIME 02/20/07.

1       AN ACT Relating to reorganizing campaign contribution and  
2 disclosure laws; amending RCW 42.17.020, 42.17.367, 42.17.369,  
3 42.17.461, 42.17.463, 42.17.350, 42.17.360, 42.17.370, 42.17.690,  
4 42.17.380, 42.17.405, 42.17.420, 42.17.450, 42.17.030, 42.17.040,  
5 42.17.050, 42.17.060, 42.17.065, 42.17.067, 42.17.080, 42.17.090,  
6 42.17.3691, 42.17.093, 42.17.100, 42.17.103, 42.17.105, 42.17.550,  
7 42.17.561, 42.17.565, 42.17.570, 42.17.575, 42.17.135, 42.17.510,  
8 42.17.520, 42.17.540, 42.17.110, 42.17.610, 42.17.640, 42.17.070,  
9 42.17.095, 42.17.125, 42.17.660, 42.17.720, 42.17.740, 42.17.790,  
10 42.17.680, 42.17.130, 42.17.245, 42.17.150, 42.17.155, 42.17.160,  
11 42.17.170, 42.17.172, 42.17.175, 42.17.180, 42.17.190, 42.17.200,  
12 42.17.210, 42.17.220, 42.17.230, 42.17.240, 42.17.2401, 42.17.241,  
13 42.17.242, 42.17.390, 42.17.395, 42.17.397, and 42.17.400; adding a new  
14 section to chapter 42.56 RCW; adding a new chapter to Title 42 RCW;  
15 creating new sections; recodifying RCW 42.17.010, 42.17.020, 42.17.035,  
16 42.17.440, 42.17.367, 42.17.369, 42.17.460, 42.17.461, 42.17.463,  
17 42.17.350, 42.17.360, 42.17.370, 42.17.690, 42.17.380, 42.17.405,  
18 42.17.420, 42.17.430, 42.17.450, 42.17.030, 42.17.040, 42.17.050,  
19 42.17.060, 42.17.065, 42.17.067, 42.17.080, 42.17.090, 42.17.3691,  
20 42.17.093, 42.17.100, 42.17.103, 42.17.105, 42.17.550, 42.17.561,  
21 42.17.565, 42.17.570, 42.17.575, 42.17.135, 42.17.510, 42.17.520,

1 42.17.530, 42.17.540, 42.17.110, 42.17.610, 42.17.640, 42.17.645,  
2 42.17.700, 42.17.070, 42.17.095, 42.17.120, 42.17.125, 42.17.650,  
3 42.17.660, 42.17.670, 42.17.720, 42.17.730, 42.17.740, 42.17.770,  
4 42.17.780, 42.17.790, 42.17.680, 42.17.760, 42.17.128, 42.17.130,  
5 42.17.710, 42.17.750, 42.17.245, 42.17.150, 42.17.155, 42.17.160,  
6 42.17.170, 42.17.172, 42.17.175, 42.17.180, 42.17.190, 42.17.200,  
7 42.17.210, 42.17.220, 42.17.230, 42.17.240, 42.17.2401, 42.17.241,  
8 42.17.242, 42.17.390, 42.17.395, 42.17.397, 42.17.400, 42.17.410,  
9 42.17.900, 42.17.910, 42.17.911, 42.17.912, 42.17.920, 42.17.930,  
10 42.17.940, 42.17.945, 42.17.950, 42.17.955, 42.17.960, 42.17.961,  
11 42.17.962, 42.17.963, 42.17.964, 42.17.965, and 42.17.966; repealing  
12 RCW 42.17.131, 42.17.362, 42.17.365, 42.17.375, 42.17.465, 42.17.467,  
13 42.17.469, 42.17.471, 42.17.562, 42.17.620, and 42.17.647; and  
14 providing an effective date.

15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

16 NEW SECTION. **Sec. 1.** It is the intent of the legislature that  
17 chapter 42.17 RCW be reorganized and clarified. It is not the intent  
18 of this act to make any substantive changes to chapter 42.17 RCW.

19 **PART 1**

20 **GENERAL PROVISIONS**

21 **Sec. 101.** RCW 42.17.020 and 2005 c 445 s 6 are each amended to  
22 read as follows:

23 The definitions in this section apply throughout this chapter  
24 unless the context clearly requires otherwise.

25 (1) "Actual malice" means to act with knowledge of falsity or with  
26 reckless disregard as to truth or falsity.

27 (2) "Agency" includes all state agencies and all local agencies.  
28 "State agency" includes every state office, department, division,  
29 bureau, board, commission, or other state agency. "Local agency"  
30 includes every county, city, town, municipal corporation, quasi-  
31 municipal corporation, or special purpose district, or any office,  
32 department, division, bureau, board, commission, or agency thereof, or  
33 other local public agency.

1 (3) "Authorized committee" means the political committee authorized  
2 by a candidate, or by the public official against whom recall charges  
3 have been filed, to accept contributions or make expenditures on behalf  
4 of the candidate or public official.

5 (4) "Ballot proposition" means any "measure" as defined by RCW  
6 29A.04.091, or any initiative, recall, or referendum proposition  
7 proposed to be submitted to the voters of the state or any municipal  
8 corporation, political subdivision, or other voting constituency from  
9 and after the time when the proposition has been initially filed with  
10 the appropriate election officer of that constituency (~~prior to~~)  
11 before its circulation for signatures.

12 (5) "Benefit" means a commercial, proprietary, financial, economic,  
13 or monetary advantage, or the avoidance of a commercial, proprietary,  
14 financial, economic, or monetary disadvantage.

15 (6) "Bona fide political party" means:

16 (a) An organization that has filed a valid certificate of  
17 nomination with the secretary of state under chapter 29A.20 RCW;

18 (b) The governing body of the state organization of a major  
19 political party, as defined in RCW 29A.04.086, that is the body  
20 authorized by the charter or bylaws of the party to exercise authority  
21 on behalf of the state party; or

22 (c) The county central committee or legislative district committee  
23 of a major political party. There may be only one legislative district  
24 committee for each party in each legislative district.

25 (7) "Depository" means a bank (~~designated by a candidate or~~  
26 ~~political committee pursuant to RCW 42.17.050~~), mutual savings bank,  
27 savings and loan association, or credit union doing business in this  
28 state.

29 (8) "Treasurer" and "deputy treasurer" mean the individuals  
30 appointed by a candidate or political committee, pursuant to RCW  
31 42.17.050 (as recodified by this act), to perform the duties specified  
32 in that section.

33 (9) "Candidate" means any individual who seeks nomination for  
34 election or election to public office. An individual seeks nomination  
35 or election when he or she first:

36 (a) Receives contributions or makes expenditures or reserves space  
37 or facilities with intent to promote his or her candidacy for office;

38 (b) Announces publicly or files for office;

1 (c) Purchases commercial advertising space or broadcast time to  
2 promote his or her candidacy; or

3 (d) Gives his or her consent to another person to take on behalf of  
4 the individual any of the actions in (a) or (c) of this subsection.

5 (10) "Caucus political committee" means a political committee  
6 organized and maintained by the members of a major political party in  
7 the ((state)) senate or ((state)) house of representatives.

8 (11) "Commercial advertiser" means any person who sells the service  
9 of communicating messages or producing printed material for broadcast  
10 or distribution to the general public or segments of the general public  
11 whether through the use of newspapers, magazines, television and radio  
12 stations, billboard companies, direct mail advertising companies,  
13 printing companies, or otherwise.

14 (12) "Commission" means the agency established under RCW 42.17.350  
15 (as recodified by this act).

16 (13) "Compensation" unless the context requires a narrower meaning,  
17 includes payment in any form for real or personal property or services  
18 of any kind(~~(:—PROVIDED, That)~~). For the purpose of compliance with  
19 RCW 42.17.241 (as recodified by this act), ((the term)) "compensation"  
20 ~~((shall))~~ does not include per diem allowances or other payments made  
21 by a governmental entity to reimburse a public official for expenses  
22 incurred while the official is engaged in the official business of the  
23 governmental entity.

24 (14) "Continuing political committee" means a political committee  
25 that is an organization of continuing existence not established in  
26 anticipation of any particular election campaign.

27 (15)(a) "Contribution" includes:

28 (i) A loan, gift, deposit, subscription, forgiveness of  
29 indebtedness, donation, advance, pledge, payment, transfer of funds  
30 between political committees, or anything of value, including personal  
31 and professional services for less than full consideration;

32 (ii) An expenditure made by a person in cooperation, consultation,  
33 or concert with, or at the request or suggestion of, a candidate, a  
34 political committee, or their agents;

35 (iii) The financing by a person of the dissemination, distribution,  
36 or republication, in whole or in part, of broadcast, written, graphic,  
37 or other form of political advertising or electioneering communication

1 prepared by a candidate, a political committee, or its authorized  
2 agent;

3 (iv) Sums paid for tickets to fund-raising events such as dinners  
4 and parties, except for the actual cost of the consumables furnished at  
5 the event.

6 (b) "Contribution" does not include:

7 (i) Standard interest on money deposited in a political committee's  
8 account;

9 (ii) Ordinary home hospitality;

10 (iii) A contribution received by a candidate or political committee  
11 that is returned to the contributor within five business days of the  
12 date on which it is received by the candidate or political committee;

13 (iv) A news item, feature, commentary, or editorial in a regularly  
14 scheduled news medium that is of primary interest to the general  
15 public, that is in a news medium controlled by a person whose business  
16 is that news medium, and that is not controlled by a candidate or a  
17 political committee;

18 (v) An internal political communication primarily limited to the  
19 members of or contributors to a political party organization or  
20 political committee, or to the officers, management staff, or  
21 stockholders of a corporation or similar enterprise, or to the members  
22 of a labor organization or other membership organization;

23 (vi) The rendering of personal services of the sort commonly  
24 performed by volunteer campaign workers, or incidental expenses  
25 personally incurred by volunteer campaign workers not in excess of  
26 fifty dollars personally paid for by the worker. "Volunteer services,"  
27 for the purposes of this (~~section~~) subsection, means services or  
28 labor for which the individual is not compensated by any person;

29 (vii) Messages in the form of reader boards, banners, or yard or  
30 window signs displayed on a person's own property or property occupied  
31 by a person. However, a facility used for such political advertising  
32 for which a rental charge is normally made must be reported as an in-  
33 kind contribution and counts towards any applicable contribution limit  
34 of the person providing the facility;

35 (viii) Legal or accounting services rendered to or on behalf of:

36 (A) A political party or caucus political committee if the person  
37 paying for the services is the regular employer of the person rendering  
38 such services; or

1 (B) A candidate or an authorized committee if the person paying for  
2 the services is the regular employer of the individual rendering the  
3 services and if the services are solely for the purpose of ensuring  
4 compliance with state election or public disclosure laws.

5 (c) Contributions other than money or its equivalent are deemed to  
6 have a monetary value equivalent to the fair market value of the  
7 contribution. Services or property or rights furnished at less than  
8 their fair market value for the purpose of assisting any candidate or  
9 political committee are deemed a contribution. Such a contribution  
10 must be reported as an in-kind contribution at its fair market value  
11 and counts towards any applicable contribution limit of the provider.

12 (16) "Elected official" means any person elected at a general or  
13 special election to any public office, and any person appointed to fill  
14 a vacancy in any such office.

15 (17) "Election" includes any primary, general, or special election  
16 for public office and any election in which a ballot proposition is  
17 submitted to the voters(~~(; PROVIDED, That)~~). An election in which the  
18 qualifications for voting include other than those requirements set  
19 forth in Article VI, section 1 (Amendment 63) of the Constitution of  
20 the state of Washington shall not be considered an election for  
21 purposes of this chapter.

22 (18) "Election campaign" means any campaign in support of or in  
23 opposition to a candidate for election to public office and any  
24 campaign in support of, or in opposition to, a ballot proposition.

25 (19) "Election cycle" means the period beginning on the first day  
26 of December after the date of the last previous general election for  
27 the office that the candidate seeks and ending on November 30th after  
28 the next election for the office. In the case of a special election to  
29 fill a vacancy in an office, "election cycle" means the period  
30 beginning on the day the vacancy occurs and ending on November 30th  
31 after the special election.

32 (20) "Electioneering communication" means any broadcast, cable, or  
33 satellite television or radio transmission, United States postal  
34 service mailing, billboard, newspaper, or periodical that:

35 (a) Clearly identifies a candidate for a state, local, or judicial  
36 office either by specifically naming the candidate, or identifying the  
37 candidate without using the candidate's name;

1 (b) Is broadcast, transmitted, mailed, erected, distributed, or  
2 otherwise published within sixty days before any election for that  
3 office in the jurisdiction in which the candidate is seeking election;  
4 and

5 (c) Either alone, or in combination with one or more communications  
6 identifying the candidate by the same sponsor during the sixty days  
7 before an election, has a fair market value of five thousand dollars or  
8 more.

9 (21) "Electioneering communication" does not include:

10 (a) Usual and customary advertising of a business owned by a  
11 candidate, even if the candidate is mentioned in the advertising when  
12 the candidate has been regularly mentioned in that advertising  
13 appearing at least twelve months preceding his or her becoming a  
14 candidate;

15 (b) Advertising for candidate debates or forums when the  
16 advertising is paid for by or on behalf of the debate or forum sponsor,  
17 so long as two or more candidates for the same position have been  
18 invited to participate in the debate or forum;

19 (c) A news item, feature, commentary, or editorial in a regularly  
20 scheduled news medium that is:

21 (i) Of primary interest to the general public;

22 (ii) In a news medium controlled by a person whose business is that  
23 news medium; and

24 (iii) Not a medium controlled by a candidate or a political  
25 committee;

26 (d) Slate cards and sample ballots;

27 (e) Advertising for books, films, dissertations, or similar works  
28 (i) written by a candidate when the candidate entered into a contract  
29 for such publications or media at least twelve months before becoming  
30 a candidate, or (ii) written about a candidate;

31 (f) Public service announcements;

32 (g) A mailed internal political communication primarily limited to  
33 the members of or contributors to a political party organization or  
34 political committee, or to the officers, management staff, or  
35 stockholders of a corporation or similar enterprise, or to the members  
36 of a labor organization or other membership organization;

37 (h) An expenditure by or contribution to the authorized committee  
38 of a candidate for state, local, or judicial office; or

1 (i) Any other communication exempted by the commission through rule  
2 consistent with the intent of this chapter.

3 (22) "Expenditure" includes a payment, contribution, subscription,  
4 distribution, loan, advance, deposit, or gift of money or anything of  
5 value, and includes a contract, promise, or agreement, whether or not  
6 legally enforceable, to make an expenditure. ((The—term))  
7 "Expenditure" also includes a promise to pay, a payment, or a transfer  
8 of anything of value in exchange for goods, services, property,  
9 facilities, or anything of value for the purpose of assisting,  
10 benefiting, or honoring any public official or candidate, or assisting  
11 in furthering or opposing any election campaign. For the purposes of  
12 this chapter, agreements to make expenditures, contracts, and promises  
13 to pay may be reported as estimated obligations until actual payment is  
14 made. ((The—term)) "Expenditure" shall not include the partial or  
15 complete repayment by a candidate or political committee of the  
16 principal of a loan, the receipt of which loan has been properly  
17 reported.

18 (23) "Final report" means the report described as a final report in  
19 RCW 42.17.080(2) (as recodified by this act).

20 (24) "General election" for the purposes of RCW 42.17.640 (as  
21 recodified by this act) means the election that results in the election  
22 of a person to a state office. It does not include a primary.

23 (25) "Gift((τ))" ((~~is as defined~~)) has the definition in RCW  
24 42.52.010.

25 (26) "Immediate family" includes the spouse, dependent children,  
26 and other dependent relatives, if living in the household. For the  
27 purposes of RCW 42.17.640 through 42.17.790 (as recodified by this  
28 act), "immediate family" means an individual's spouse, and child,  
29 stepchild, grandchild, parent, stepparent, grandparent, brother, half  
30 brother, sister, or half sister of the individual and the spouse of any  
31 such person and a child, stepchild, grandchild, parent, stepparent,  
32 grandparent, brother, half brother, sister, or half sister of the  
33 individual's spouse and the spouse of any such person.

34 (27) "Incumbent" means a person who is in present possession of an  
35 elected office.

36 (28) "Independent expenditure" means an expenditure that has each  
37 of the following elements:

1 (a) It is made in support of or in opposition to a candidate for  
2 office by a person who is not (i) a candidate for that office, (ii) an  
3 authorized committee of that candidate for that office, (iii) a person  
4 who has received the candidate's encouragement or approval to make the  
5 expenditure, if the expenditure pays in whole or in part for political  
6 advertising supporting that candidate or promoting the defeat of any  
7 other candidate or candidates for that office, or (iv) a person with  
8 whom the candidate has collaborated for the purpose of making the  
9 expenditure, if the expenditure pays in whole or in part for political  
10 advertising supporting that candidate or promoting the defeat of any  
11 other candidate or candidates for that office;

12 (b) The expenditure pays in whole or in part for political  
13 advertising that either specifically names the candidate supported or  
14 opposed, or clearly and beyond any doubt identifies the candidate  
15 without using the candidate's name; and

16 (c) The expenditure, alone or in conjunction with another  
17 expenditure or other expenditures of the same person in support of or  
18 opposition to that candidate, has a value of (~~five~~) seven hundred  
19 dollars or more. A series of expenditures, each of which is under  
20 (~~five~~) seven hundred dollars, constitutes one independent expenditure  
21 if their cumulative value is (~~five~~) seven hundred dollars or more.

22 (29)(a) "Intermediary" means an individual who transmits a  
23 contribution to a candidate or committee from another person unless the  
24 contribution is from the individual's employer, immediate family as  
25 defined for purposes of RCW 42.17.640 through 42.17.790 (as recodified  
26 by this act), or an association to which the individual belongs.

27 (b) A treasurer or a candidate is not an intermediary for purposes  
28 of the committee that the treasurer or candidate serves.

29 (c) A professional fund-raiser is not an intermediary if the fund-  
30 raiser is compensated for fund-raising services at the usual and  
31 customary rate.

32 (d) A volunteer hosting a fund-raising event at the individual's  
33 home is not an intermediary for purposes of that event.

34 (30) "Legislation" means bills, resolutions, motions, amendments,  
35 nominations, and other matters pending or proposed in either house of  
36 the state legislature, and includes any other matter that may be the  
37 subject of action by either house or any committee of the legislature

1 and all bills and resolutions that, having passed both houses, are  
2 pending approval by the governor.

3 (31) "Lobby" and "lobbying" each mean attempting to influence the  
4 passage or defeat of any legislation by the legislature of the state of  
5 Washington, or the adoption or rejection of any rule, standard, rate,  
6 or other legislative enactment of any state agency under the state  
7 administrative procedure act, chapter 34.05 RCW. Neither "lobby" nor  
8 "lobbying" includes an association's or other organization's act of  
9 communicating with the members of that association or organization.

10 (32) "Lobbyist" includes any person who lobbies either in his or  
11 her own or another's behalf.

12 (33) "Lobbyist's employer" means the person or persons by whom a  
13 lobbyist is employed and all persons by whom he or she is compensated  
14 for acting as a lobbyist.

15 (34) "Participate" means that, with respect to a particular  
16 election, an entity:

17 (a) Makes either a monetary or in-kind contribution to a candidate;

18 (b) Makes an independent expenditure or electioneering  
19 communication in support of or opposition to a candidate;

20 (c) Endorses a candidate (~~(prior to)~~) before contributions being  
21 made by a subsidiary corporation or local unit with respect to that  
22 candidate or that candidate's opponent;

23 (d) Makes a recommendation regarding whether a candidate should be  
24 supported or opposed (~~(prior to)~~) before a contribution being made by  
25 a subsidiary corporation or local unit with respect to that candidate  
26 or that candidate's opponent; or

27 (e) Directly or indirectly collaborates or consults with a  
28 subsidiary corporation or local unit on matters relating to the support  
29 of or opposition to a candidate, including, but not limited to, the  
30 amount of a contribution, when a contribution should be given, and what  
31 assistance, services or independent expenditures, or electioneering  
32 communications, if any, will be made or should be made in support of or  
33 opposition to a candidate.

34 (35) "Person" includes an individual, partnership, joint venture,  
35 public or private corporation, association, federal, state, or local  
36 governmental entity or agency however constituted, candidate,  
37 committee, political committee, political party, executive committee



1 (42) "Recall campaign" means the period of time beginning on the  
2 date of the filing of recall charges under RCW 29A.56.120 and ending  
3 thirty days after the recall election.

4 (43) "Sponsor of an electioneering communications, independent  
5 expenditures, or political advertising" means the person paying for the  
6 electioneering communication, independent expenditure, or political  
7 advertising. If a person acts as an agent for another or is reimbursed  
8 by another for the payment, the original source of the payment is the  
9 sponsor.

10 (44) "~~((State))~~ Legislative office" means the office of a member of  
11 the ~~((state))~~ house of representatives or the office of a member of the  
12 ~~((state))~~ senate.

13 (45) "State office" means ~~((state))~~ legislative office or the  
14 office of governor, lieutenant governor, secretary of state, attorney  
15 general, commissioner of public lands, insurance commissioner,  
16 superintendent of public instruction, state auditor, or state  
17 treasurer.

18 (46) "State official" means a person who holds a state office.

19 (47) "Surplus funds" mean, in the case of a political committee or  
20 candidate, the balance of contributions that remain in the possession  
21 or control of that committee or candidate subsequent to the election  
22 for which the contributions were received, and that are in excess of  
23 the amount necessary to pay remaining debts incurred by the committee  
24 or candidate ~~((prior to))~~ before that election. In the case of a  
25 continuing political committee, "surplus funds" mean those  
26 contributions remaining in the possession or control of the committee  
27 that are in excess of the amount necessary to pay all remaining debts  
28 when it makes its final report under RCW 42.17.065 (as recodified by  
29 this act).

30 ~~((48)) "Writing" means handwriting, typewriting, printing,~~  
31 ~~photostating, photographing, and every other means of recording any~~  
32 ~~form of communication or representation, including, but not limited to,~~  
33 ~~letters, words, pictures, sounds, or symbols, or combination thereof,~~  
34 ~~and all papers, maps, magnetic or paper tapes, photographic films and~~  
35 ~~prints, motion picture, film and video recordings, magnetic or punched~~  
36 ~~cards, discs, drums, diskettes, sound recordings, and other documents~~  
37 ~~including existing data compilations from which information may be~~  
38 ~~obtained or translated.~~

1 ~~As used in this chapter, the singular shall take the plural and any~~  
2 ~~gender, the other, as the context requires.)~~

3 **PART 2**  
4 **ELECTRONIC ACCESS**

5 **Sec. 201.** RCW 42.17.367 and 1999 c 401 s 9 are each amended to  
6 read as follows:

7 ~~((By February 1, 2000,))~~ The commission shall operate a web site or  
8 contract for the operation of a web site that allows access to reports,  
9 copies of reports, or copies of data and information submitted in  
10 reports, filed with the commission under RCW 42.17.040, 42.17.065,  
11 42.17.080, 42.17.100, and 42.17.105 (as recodified by this act). ~~((By~~  
12 ~~January 1, 2001,))~~ The web site shall allow access to reports, copies  
13 of reports, or copies of data and information submitted in reports,  
14 filed with the commission under RCW 42.17.150, 42.17.170, 42.17.175,  
15 and 42.17.180 (as recodified by this act). In addition, the commission  
16 shall attempt to make available via the web site other public records  
17 submitted to or generated by the commission that are required by this  
18 chapter to be available for public use or inspection.

19 **Sec. 202.** RCW 42.17.369 and 2000 c 237 s 3 are each amended to  
20 read as follows:

21 (1) ~~((By July 1, 1999,))~~ The commission shall make available to  
22 candidates, public officials, and political committees that are  
23 required to file reports under this chapter an electronic filing  
24 alternative for submitting financial affairs reports, contribution  
25 reports, and expenditure reports(~~(, including but not limited to filing~~  
26 ~~by diskette, modem, satellite, or the Internet))~~).

27 (2) ~~((By January 1, 2002,))~~ The commission shall make available to  
28 lobbyists and lobbyists' employers required to file reports under RCW  
29 42.17.150, 42.17.170, 42.17.175, or 42.17.180 (as recodified by this  
30 act) an electronic filing alternative for submitting these reports  
31 ~~((including but not limited to filing by diskette, modem, satellite, or~~  
32 ~~the Internet))~~).

33 (3) The commission shall make available to candidates, public  
34 officials, political committees, lobbyists, and lobbyists' employers an  
35 electronic copy of the appropriate reporting forms at no charge.

1       **Sec. 203.** RCW 42.17.461 and 2000 c 237 s 5 are each amended to  
2 read as follows:

3       ~~((1))~~ The commission shall establish goals that all reports,  
4 copies of reports, or copies of the data or information included in  
5 reports, filed under RCW 42.17.040, 42.17.065, 42.17.080, 42.17.100,  
6 42.17.105, 42.17.150, 42.17.170, 42.17.175, and 42.17.180 (as  
7 recodified by this act), that are:

8       ~~((a) Submitted using the commission's electronic filing system~~  
9 ~~shall be accessible in the commission's office within two business days~~  
10 ~~of the commission's receipt of the report and shall be accessible on~~  
11 ~~the commission's web site within seven business days of the~~  
12 ~~commission's receipt of the report; and~~

13       ~~(b) Submitted in any format or using any method other than as~~  
14 ~~described in (a) of this subsection, shall be accessible in the~~  
15 ~~commission's office within four business days of the actual physical~~  
16 ~~receipt of the report, and not the technical date of filing as provided~~  
17 ~~under RCW 42.17.420, and shall be accessible on the commission's web~~  
18 ~~site within fourteen business days of the actual physical receipt of~~  
19 ~~the report, and not the technical date of filing as provided under RCW~~  
20 ~~42.17.420, as specified in rule adopted by the commission.~~

21       ~~(2) On January 1, 2001, or shortly thereafter, the commission shall~~  
22 ~~revise these goals to reflect that all reports, copies of reports, or~~  
23 ~~copies of the data or information included in reports, filed under RCW~~  
24 ~~42.17.040, 42.17.065, 42.17.080, 42.17.100, 42.17.105, 42.17.150,~~  
25 ~~42.17.170, 42.17.175, and 42.17.180, that are:~~

26       ~~(a) Submitted using the commission's electronic filing system shall~~  
27 ~~be accessible in the commission's office within two business days of~~  
28 ~~the commission's receipt of the report and on the commission's web site~~  
29 ~~within four business days of the commission's receipt of the report;~~  
30 ~~and~~

31       ~~(b) Submitted in any format or using any method other than as~~  
32 ~~described in (a) of this subsection, shall be accessible in the~~  
33 ~~commission's office within four business days of the actual physical~~  
34 ~~receipt of the report, and not the technical date of filing as provided~~  
35 ~~under RCW 42.17.420, and on the commission's web site within seven~~  
36 ~~business days of the actual physical receipt of the report, and not the~~  
37 ~~technical date of filing as provided under RCW 42.17.420, as specified~~  
38 ~~in rule adopted by the commission.~~

1       ~~(3) On January 1, 2002, or shortly thereafter, the commission shall~~  
2 ~~revise these goals to reflect that all reports, copies of reports, or~~  
3 ~~copies of the data or information included in reports, filed under RCW~~  
4 ~~42.17.040, 42.17.065, 42.17.080, 42.17.100, 42.17.105, 42.17.150,~~  
5 ~~42.17.170, 42.17.175, and 42.17.180, that are:~~

6       ~~(a))~~ (1) Submitted using the commission's electronic filing system  
7 must be accessible in the commission's office and on the commission's  
8 web site within two business days of the commission's receipt of the  
9 report; and

10       ~~((b))~~ (2) Submitted in any format or using any method other than  
11 as described in ~~((a) of this))~~ subsection (1) of this section, must be  
12 accessible in the commission's office and on the commission's web site  
13 within four business days of the actual physical receipt of the report,  
14 and not the technical date of filing as provided under RCW 42.17.420  
15 (as recodified by this act), as specified in rule adopted by the  
16 commission.

17       **Sec. 204.** RCW 42.17.463 and 1999 c 401 s 3 are each amended to  
18 read as follows:

19       By July 1st of each year ~~((beginning in 2000))~~, the commission  
20 shall calculate the following performance measures, provide a copy of  
21 the performance measures to the governor and appropriate legislative  
22 committees, and make the performance measures available to the public:

23       (1) The average number of days that elapse between the commission's  
24 receipt of reports filed under RCW 42.17.040, 42.17.065, 42.17.080, and  
25 42.17.100 (as recodified by this act) and the time that the report, a  
26 copy of the report, or a copy of the data or information included in  
27 the report, is first accessible to the general public (a) in the  
28 commission's office, and (b) via the commission's web site;

29       (2) The average number of days that elapse between the commission's  
30 receipt of reports filed under RCW 42.17.105 (as recodified by this  
31 act) and the time that the report, a copy of the report, or a copy of  
32 the data or information included in the report, is first accessible to  
33 the general public (a) in the commission's office, and (b) via the  
34 commission's web site;

35       (3) The average number of days that elapse between the commission's  
36 receipt of reports filed under RCW 42.17.150, 42.17.170, 42.17.175, and  
37 42.17.180 (as recodified by this act) and the time that the report, a

1 copy of the report, or a copy of the data or information included in  
2 the report, is first accessible to the general public (a) in the  
3 commission's office, and (b) via the commission's web site;

4 (4) The percentage of candidates, categorized as statewide,  
5 (~~state~~) legislative, or local, that have used each of the following  
6 methods to file reports under RCW 42.17.080 or 42.17.105 (as recodified  
7 by this act): (a) Hard copy paper format; (b) electronic format via  
8 diskette; (c) electronic format via modem or satellite; (d) electronic  
9 format via the Internet; and (e) any other format or method;

10 (5) The percentage of continuing political committees that have  
11 used each of the following methods to file reports under RCW 42.17.065  
12 or 42.17.105 (as recodified by this act): (a) Hard copy paper format;  
13 (b) electronic format via diskette; (c) electronic format via modem or  
14 satellite; (d) electronic format via the Internet; and (e) any other  
15 format or method; and

16 (6) The percentage of lobbyists and lobbyists' employers that have  
17 used each of the following methods to file reports under RCW 42.17.150,  
18 42.17.170, 42.17.175, or 42.17.180 (as recodified by this act): (a)  
19 Hard copy paper format; (b) electronic format via diskette; (c)  
20 electronic format via modem or satellite; (d) electronic format via the  
21 Internet; and (e) any other format or method.

22 **PART 3**

23 **ADMINISTRATION**

24 **Sec. 301.** RCW 42.17.350 and 1998 c 30 s 1 are each amended to read  
25 as follows:

26 (1) (~~There is hereby established a "~~) The public disclosure  
27 commission(" which) is established. The commission shall be composed  
28 of five members (~~who shall be~~) appointed by the governor, with the  
29 consent of the senate. All appointees shall be persons of the highest  
30 integrity and qualifications. No more than three members shall have an  
31 identification with the same political party.

32 (2) The term of each member shall be five years. No member is  
33 eligible for appointment to more than one full term. Any member may be  
34 removed by the governor, but only upon grounds of neglect of duty or  
35 misconduct in office.

1 (3) During his or her tenure, a member of the commission is  
2 prohibited from engaging in any of the following activities, either  
3 within or outside the state of Washington:

4 (a) Holding or campaigning for elective office;

5 (b) Serving as an officer of any political party or political  
6 committee;

7 (c) Permitting his or her name to be used in support of or in  
8 opposition to a candidate or proposition;

9 (d) Soliciting or making contributions to a candidate or in support  
10 of or in opposition to any candidate or proposition;

11 (e) Participating in any way in any election campaign; or

12 (f) Lobbying, employing, or assisting a lobbyist, except that a  
13 member or the staff of the commission may lobby to the limited extent  
14 permitted by RCW 42.17.190 (as recodified by this act) on matters  
15 directly affecting this chapter.

16 (4) A vacancy on the commission shall be filled within thirty days  
17 of the vacancy by the governor, with the consent of the senate, and the  
18 appointee shall serve for the remaining term of his or her predecessor.  
19 A vacancy shall not impair the powers of the remaining members to  
20 exercise all of the powers of the commission.

21 (5) Three members of the commission shall constitute a quorum. The  
22 commission shall elect its own chair and adopt its own rules of  
23 procedure in the manner provided in chapter 34.05 RCW.

24 (6) Members shall be compensated in accordance with RCW 43.03.250  
25 and ~~((in addition))~~ shall be reimbursed for travel expenses incurred  
26 while engaged in the business of the commission as provided in RCW  
27 43.03.050 and 43.03.060. The compensation provided pursuant to this  
28 section shall not be considered salary for purposes of the provisions  
29 of any retirement system created ~~((pursuant to))~~ under the ~~((general))~~  
30 laws of this state.

31 **Sec. 302.** RCW 42.17.360 and 1973 c 1 s 36 are each amended to read  
32 as follows:

33 The commission shall:

34 (1) Develop and provide forms for the reports and statements  
35 required to be made under this chapter;

36 (2) Prepare and publish a manual setting forth recommended uniform

- 1 methods of bookkeeping and reporting for use by persons required to  
2 make reports and statements under this chapter;
- 3 (3) Compile and maintain a current list of all filed reports and  
4 statements;
- 5 (4) Investigate whether properly completed statements and reports  
6 have been filed within the times required by this chapter;
- 7 (5) Upon complaint or upon its own motion, investigate and report  
8 apparent violations of this chapter to the appropriate law enforcement  
9 authorities;
- 10 (6) Conduct a sufficient number of audits and field investigations  
11 to provide a statistically valid finding regarding the degree of  
12 compliance with the provisions of this chapter by all required filers.  
13 Any documents, records, reports, computer files, papers, or materials  
14 provided to the commission for use in conducting audits and  
15 investigations must be returned to the candidate, campaign, or  
16 political committee from which they were received within one week of  
17 the commission's completion of an audit or field investigation;
- 18 (7) Prepare and publish an annual report to the governor as to the  
19 effectiveness of this chapter and its enforcement by appropriate law  
20 enforcement authorities; (~~and~~
- 21 ~~(7)~~) (8) Enforce this chapter according to the powers granted it  
22 by law;
- 23 (9) Adopt rules governing the arrangement, handling, indexing, and  
24 disclosing of those reports required by this chapter to be filed with  
25 a county auditor or county elections official. The rules shall:
- 26 (a) Ensure ease of access by the public to the reports; and  
27 (b) Include, but not be limited to, requirements for indexing the  
28 reports by the names of candidates or political committees and by the  
29 ballot proposition for or against which a political committee is  
30 receiving contributions or making expenditures;
- 31 (10) Adopt rules to carry out the policies of chapter 348, Laws of  
32 2006. The adoption of these rules is not subject to the time  
33 restrictions of RCW 42.17.370(1) (as recodified by this act);
- 34 (11) Adopt administrative rules establishing requirements for filer  
35 participation in any system designed and implemented by the commission  
36 for the electronic filing of reports; and
- 37 (12) Maintain and make available to the public and political  
38 committees of this state a toll-free telephone number.

1       **Sec. 303.** RCW 42.17.370 and 1995 c 397 s 17 are each amended to  
2 read as follows:

3       The commission (~~(is empowered to)~~) may:

4       (1) Adopt, (~~(promulgate,)~~) amend, and rescind suitable  
5 administrative rules to carry out the policies and purposes of this  
6 chapter, which rules shall be adopted under chapter 34.05 RCW. Any  
7 rule relating to campaign finance, political advertising, or related  
8 forms that would otherwise take effect after June 30th of a general  
9 election year shall take effect no earlier than the day following the  
10 general election in that year;

11       (2) Appoint an executive director and set, within the limits  
12 established by the state committee on agency officials' salaries under  
13 RCW 43.03.028, the executive director's compensation (~~(of an executive~~  
14 ~~director who)~~). The executive director shall perform such duties and  
15 have such powers as the commission may prescribe and delegate to  
16 implement and enforce this chapter efficiently and effectively. The  
17 commission shall not delegate its authority to adopt, amend, or rescind  
18 rules nor (~~(shall)~~) may it delegate authority to determine whether an  
19 actual violation of this chapter has occurred or to assess penalties  
20 for such violations;

21       (3) Prepare and publish (~~(such)~~) reports and technical studies (~~(as~~  
22 ~~in its judgment will tend to)~~) that promote the purposes of this  
23 chapter, including reports and statistics concerning campaign  
24 financing, lobbying, financial interests of elected officials, and  
25 enforcement of this chapter;

26       (4) Make from time to time, (~~(on its own motion,)~~) audits and field  
27 investigations;

28       (5) Make public the time and date of any formal hearing set to  
29 determine whether a violation has occurred, the question or questions  
30 to be considered, and the results thereof;

31       (6) Administer oaths and affirmations, issue subpoenas, and compel  
32 attendance, take evidence, and require the production of any (~~(books,~~  
33 ~~papers, correspondence, memorandums, or other)~~) records relevant (~~(or~~  
34 ~~material for the purpose of)~~) to any investigation authorized under  
35 this chapter, or any other proceeding under this chapter;

36       (7) Adopt (~~(and promulgate)~~) a code of fair campaign practices;

37       (8) (~~(Relieve, by rule,)~~) Adopt rules relieving candidates or  
38 political committees of obligations to comply with the election

1 ~~campaign~~ provisions of this chapter (~~relating to election campaigns~~),  
2 if they have not received contributions nor made expenditures in  
3 connection with any election campaign of more than (~~one thousand~~)  
4 three thousand five hundred dollars;

5 (9) Adopt rules prescribing reasonable requirements for keeping  
6 accounts of, and reporting on a quarterly basis, costs incurred by  
7 state agencies, counties, cities, and other municipalities and  
8 political subdivisions in preparing, publishing, and distributing  
9 legislative information. (~~The term~~) For the purposes of this  
10 subsection, "legislative information(~~(7)~~)" (~~for the purposes of this~~  
11 ~~subsection~~) means books, pamphlets, reports, and other materials  
12 prepared, published, or distributed at substantial cost, a substantial  
13 purpose of which is to influence the passage or defeat of any  
14 legislation. The state auditor in his or her regular examination of  
15 each agency under chapter 43.09 RCW shall review the rules, accounts,  
16 and reports and make appropriate findings, comments, and  
17 recommendations (~~in his or her examination reports~~) concerning those  
18 agencies; and

19 (10) (~~After hearing, by order approved and ratified by a majority~~  
20 ~~of the membership of the commission, suspend or modify any of the~~  
21 ~~reporting requirements of this chapter in a particular case if it finds~~  
22 ~~that literal application of this chapter works a manifestly~~  
23 ~~unreasonable hardship and if it also finds that the suspension or~~  
24 ~~modification will not frustrate the purposes of the chapter. The~~  
25 ~~commission shall find that a manifestly unreasonable hardship exists if~~  
26 ~~reporting the name of an entity required to be reported under RCW~~  
27 ~~42.17.241(1)(g)(ii) would be likely to adversely affect the competitive~~  
28 ~~position of any entity in which the person filing the report or any~~  
29 ~~member of his or her immediate family holds any office, directorship,~~  
30 ~~general partnership interest, or an ownership interest of ten percent~~  
31 ~~or more. Any suspension or modification shall be only to the extent~~  
32 ~~necessary to substantially relieve the hardship. The commission shall~~  
33 ~~act to suspend or modify any reporting requirements only if it~~  
34 ~~determines that facts exist that are clear and convincing proof of the~~  
35 ~~findings required under this section. Requests for renewals of~~  
36 ~~reporting modifications may be heard in a brief adjudicative proceeding~~  
37 ~~as set forth in RCW 34.05.482 through 34.05.494 and in accordance with~~  
38 ~~the standards established in this section. No initial request may be~~

1 ~~heard in a brief adjudicative proceeding and no request for renewal may~~  
2 ~~be heard in a brief adjudicative proceeding if the initial request was~~  
3 ~~granted more than three years previously or if the applicant is holding~~  
4 ~~an office or position of employment different from the office or~~  
5 ~~position held when the initial request was granted. The commission~~  
6 ~~shall adopt administrative rules governing the proceedings. Any~~  
7 ~~citizen has standing to bring an action in Thurston county superior~~  
8 ~~court to contest the propriety of any order entered under this section~~  
9 ~~within one year from the date of the entry of the order; and~~

10 ~~(11) Revise, at least once every five years but no more often than~~  
11 ~~every two years, the monetary reporting thresholds and reporting code~~  
12 ~~values of this chapter. The revisions shall be only for the purpose of~~  
13 ~~recognizing economic changes as reflected by an inflationary index~~  
14 ~~recommended by the office of financial management. The revisions shall~~  
15 ~~be guided by the change in the index for the period commencing with the~~  
16 ~~month of December preceding the last revision and concluding with the~~  
17 ~~month of December preceding the month the revision is adopted. As to~~  
18 ~~each of the three general categories of this chapter (reports of~~  
19 ~~campaign finance, reports of lobbyist activity, and reports of the~~  
20 ~~financial affairs of elected and appointed officials), the revisions~~  
21 ~~shall equally affect all thresholds within each category. Revisions~~  
22 ~~shall be adopted as rules under chapter 34.05 RCW. The first revision~~  
23 ~~authorized by this subsection shall reflect economic changes from the~~  
24 ~~time of the last legislative enactment affecting the respective code or~~  
25 ~~threshold through December 1985;~~

26 ~~(12))~~ Develop and provide to filers a system for certification of  
27 reports required under this chapter which are transmitted by facsimile  
28 or electronically to the commission. Implementation of the program is  
29 contingent on the availability of funds.

30 NEW SECTION. Sec. 304. SUSPENSION OR MODIFICATION OF REPORTING  
31 REQUIREMENTS. (1) The commission may suspend or modify any of the  
32 reporting requirements of this chapter if it finds that literal  
33 application of this chapter works a manifestly unreasonable hardship in  
34 a particular case and the suspension or modification will not frustrate  
35 the purposes of this chapter. The commission may suspend or modify  
36 reporting requirements only after a hearing is held and the suspension

1 or modification receives approval from a majority of the commission.  
2 The commission shall act to suspend or modify any reporting  
3 requirements:

4 (a) Only if it determines that facts exist that are clear and  
5 convincing proof of the findings required under this section; and

6 (b) Only to the extent necessary to substantially relieve the  
7 hardship.

8 (2) A manifestly unreasonable hardship exists if reporting the name  
9 of an entity required to be reported under RCW 42.17.241(1)(g)(ii) (as  
10 recodified by this act) would be likely to adversely affect the  
11 competitive position of any entity in which the person filing the  
12 report, or any member of his or her immediate family, holds any office,  
13 directorship, general partnership interest, or an ownership interest of  
14 ten percent or more.

15 (3) Requests for renewals of reporting modifications may be heard  
16 in a brief adjudicative proceeding as set forth in RCW 34.05.482  
17 through 34.05.494 and in accordance with the standards established in  
18 this section. No initial request may be heard in a brief adjudicative  
19 proceeding. No request for renewal may be heard in a brief  
20 adjudicative proceeding if the initial request was granted more than  
21 three years previously or if the applicant is holding an office or  
22 position of employment different from the office or position held when  
23 the initial request was granted.

24 (4) The commission shall adopt rules governing the proceedings.  
25 Any citizen has standing to bring an action in Thurston county superior  
26 court to contest the propriety of any order entered under this section  
27 within one year from the date of the entry of the order.

28 **Sec. 305.** RCW 42.17.690 and 1993 c 2 s 9 are each amended to read  
29 as follows:

30 (1) At the beginning of each even-numbered calendar year, the  
31 commission shall increase or decrease ~~((all))~~ the dollar amounts in  
32 ~~((this chapter))~~ RCW 42.17.020(28), 42.17.125, 42.17.180(1), 42.17.640,  
33 42.17.645, and 42.17.740 (as recodified by this act) based on changes  
34 in economic conditions as reflected in the inflationary index ~~((used by~~  
35 ~~the commission under RCW 42.17.370))~~ recommended by the office of  
36 financial management. The new dollar amounts established by the  
37 commission under this section shall be rounded off ~~((by the~~

1 ~~commission))~~ to amounts as judged most convenient for public  
2 understanding and so as to be within ten percent of the target amount  
3 equal to the base amount provided in this chapter multiplied by the  
4 increase in the inflationary index (~~(since December 3, 1992)~~) as  
5 follows:

6 (a) Since July 2005 for amounts specified in RCW 42.17.640 (as  
7 recodified by this act);

8 (b) Since July 2006 for amounts specified in RCW 42.17.645 (as  
9 recodified by this act); and

10 (c) Since July 2008 for amounts specified in RCW 42.17.020(28),  
11 42.17.125, 42.17.180, and 42.17.740 (as recodified by this act).

12 (2) The commission may revise, at least once every five years but  
13 no more often than every two years, the monetary reporting thresholds  
14 and reporting code values of this chapter. The revisions shall be only  
15 for the purpose of recognizing economic changes as reflected by an  
16 inflationary index recommended by the office of financial management.  
17 The revisions shall be guided by the change in the index for the period  
18 commencing with the month of December preceding the last revision and  
19 concluding with the month of December preceding the month the revision  
20 is adopted. As to each of the three general categories of this  
21 chapter, reports of campaign finance, reports of lobbyist activity, and  
22 reports of the financial affairs of elected and appointed officials,  
23 the revisions shall equally affect all thresholds within each category.  
24 The first revision authorized by this subsection shall reflect economic  
25 changes from the time of the last legislative enactment affecting the  
26 respective code or threshold through December 1985.

27 (3) Revisions made in accordance with subsections (1) and (2) of  
28 this section shall be adopted as rules under chapter 34.05 RCW.

29 **Sec. 306.** RCW 42.17.380 and 1982 c 35 s 196 are each amended to  
30 read as follows:

31 ~~((1) The office of the secretary of state shall be designated as~~  
32 ~~a place where the public may file papers or correspond with the~~  
33 ~~commission and receive any form or instruction from the commission.~~

34 ~~(2))~~ The attorney general, through his or her office, shall  
35 ~~((supply such))~~ provide assistance ~~((as the commission may require in~~  
36 ~~order))~~ required by the commission to carry out its responsibilities

1 under this chapter. The commission may employ attorneys who are  
2 neither the attorney general nor an assistant attorney general to carry  
3 out any function of the attorney general prescribed in this chapter.

4 **Sec. 307.** RCW 42.17.405 and 2006 c 240 s 2 are each amended to  
5 read as follows:

6 (1) Except as provided in subsections (2), (3), and (7) of this  
7 section, the reporting provisions of this chapter do not apply to:

8 (a) Candidates, elected officials, and agencies in political  
9 subdivisions with less than one thousand registered voters as of the  
10 date of the most recent general election in the jurisdiction(~~(7-10)~~);

11 (b) Political committees formed to support or oppose candidates or  
12 ballot propositions in such political subdivisions(~~(7)~~); or (~~(10)~~)

13 (c) Persons making independent expenditures in support of or  
14 opposition to such ballot propositions.

15 (2) The reporting provisions of this chapter apply in any exempt  
16 political subdivision from which a "petition for disclosure" containing  
17 the valid signatures of fifteen percent of the number of registered  
18 voters, as of the date of the most recent general election in the  
19 political subdivision, is filed with the commission. The commission  
20 shall by rule prescribe the form of the petition. After the signatures  
21 are gathered, the petition shall be presented to the auditor or  
22 elections officer of the county, or counties, in which the political  
23 subdivision is located. The auditor or elections officer shall verify  
24 the signatures and certify to the commission that the petition contains  
25 no less than the required number of valid signatures. The commission,  
26 upon receipt of a valid petition, shall order every known affected  
27 person in the political subdivision to file the initially required  
28 statement and reports within fourteen days of the date of the order.

29 (3) The reporting provisions of this chapter apply in any exempt  
30 political subdivision that by ordinance, resolution, or other official  
31 action has petitioned the commission to make the provisions applicable  
32 to elected officials and candidates of the exempt political  
33 subdivision. A copy of the action shall be sent to the commission. If  
34 the commission finds the petition to be a valid action of the  
35 appropriate governing body or authority, the commission shall order  
36 every known affected person in the political subdivision to file the

1 initially required statement and reports within fourteen days of the  
2 date of the order.

3 (4) The commission shall void any order issued by it pursuant to  
4 subsection (2) or (3) of this section when, at least four years after  
5 issuing the order, the commission is presented a petition or official  
6 action so requesting from the affected political subdivision. Such  
7 petition or official action shall meet the respective requirements of  
8 subsection (2) or (3) of this section.

9 (5) Any petition for disclosure, ordinance, resolution, or official  
10 action of an agency petitioning the commission to void the exemption in  
11 RCW 42.17.030(3) (as recodified by this act) shall not be considered  
12 unless it has been filed with the commission:

13 (a) In the case of a ballot measure, at least sixty days before the  
14 date of any election in which campaign finance reporting is to be  
15 required;

16 (b) In the case of a candidate, at least sixty days before the  
17 first day on which a person may file a declaration of candidacy for any  
18 election in which campaign finance reporting is to be required.

19 (6) Any person exempted from reporting under this chapter may at  
20 his or her option file the statement and reports.

21 (7) The reporting provisions of this chapter apply to a candidate  
22 in any political subdivision if the candidate receives or expects to  
23 receive five thousand dollars or more in contributions.

24 **Sec. 308.** RCW 42.17.420 and 1999 c 401 s 10 are each amended to  
25 read as follows:

26 (1) Except as provided in subsection (2) of this section, (~~when~~)  
27 the date of receipt of any application, report, statement, notice, or  
28 payment required to be made under the provisions of this chapter (~~has~~  
29 ~~been deposited postpaid in the United States mail properly addressed,~~  
30 ~~it shall be deemed to have been received on the date of mailing. It~~  
31 ~~shall be presumed that~~) is the date shown by the post office  
32 cancellation mark on the envelope (~~is the date of mailing~~) of the  
33 submitted material. The provisions of this section do not apply to  
34 reports required to be delivered under RCW 42.17.105 and 42.17.175 (as  
35 recodified by this act).

36 (2) When a report is filed electronically with the commission, it  
37 is deemed to have been received on the file transfer date. The

1 commission shall notify the filer of receipt of the electronically  
2 filed report. Such notification may be sent by mail, facsimile, or  
3 electronic mail. If the notification of receipt of the electronically  
4 filed report is not received by the filer, the filer may offer his or  
5 her own proof of sending the report, and such proof shall be treated as  
6 if it were a receipt sent by the commission. Electronic filing may be  
7 used for purposes of filing the special reports required to be  
8 delivered under RCW 42.17.105 and 42.17.175 (as recodified by this  
9 act).

10 **Sec. 309.** RCW 42.17.450 and 1973 c 1 s 45 are each amended to read  
11 as follows:

12 ~~((Persons with whom statements or reports or copies of statements~~  
13 ~~or reports are required to be filed under this chapter)) (1) County~~  
14 ~~auditors and county elections officials shall preserve ((them)) filed~~  
15 ~~statements or reports for not less than six years.~~

16 (2) The commission(~~, however,~~) shall preserve ~~((such))~~ filed  
17 statements or reports for not less than ten years.

#### 18 **PART 4**

#### 19 **CAMPAIGN FINANCE REPORTING**

20 **Sec. 401.** RCW 42.17.030 and 2006 c 240 s 1 are each amended to  
21 read as follows:

22 The provisions of this chapter relating to the financing of  
23 election campaigns shall apply in all election campaigns other than (1)  
24 for precinct committee officer; (2) for a federal elective office; and  
25 (3) for an office of a political subdivision of the state that does not  
26 encompass a whole county and that contains fewer than five thousand  
27 registered voters as of the date of the most recent general election in  
28 the subdivision, unless required by RCW 42.17.405 (2) through (5) and  
29 (7) (as recodified by this act).

30 **Sec. 402.** RCW 42.17.040 and 1989 c 280 s 2 are each amended to  
31 read as follows:

32 (1) Every political committee(~~, within two weeks after its~~  
33 ~~organization or, within two weeks after the date when it first has the~~  
34 ~~expectation of receiving contributions or making expenditures in any~~

1 ~~election campaign, whichever is earlier,))~~ shall file a statement of  
2 organization with the commission and with the county auditor or  
3 elections officer of the county in which the candidate resides, or in  
4 the case of any other political committee, the county in which the  
5 treasurer resides. The statement must be filed within two weeks after  
6 its organization or within two weeks after the date when it first has  
7 the expectation of receiving contributions or making expenditures in  
8 any election campaign, whichever is earlier. A political committee  
9 organized within the last three weeks before an election and having the  
10 expectation of receiving contributions or making expenditures during  
11 and for that election campaign shall file a statement of organization  
12 within three business days after its organization or when it first has  
13 the expectation of receiving contributions or making expenditures in  
14 the election campaign.

15 (2) The statement of organization shall include but not be limited  
16 to:

17 (a) The name and address of the committee;

18 (b) The names and addresses of all related or affiliated committees  
19 or other persons, and the nature of the relationship or affiliation;

20 (c) The names, addresses, and titles of its officers; or if it has  
21 no officers, the names, addresses, and titles of its responsible  
22 leaders;

23 (d) The name and address of its treasurer and depository;

24 (e) A statement whether the committee is a continuing one;

25 (f) The name, office sought, and party affiliation of each  
26 candidate whom the committee is supporting or opposing, and, if the  
27 committee is supporting the entire ticket of any party, the name of the  
28 party;

29 (g) The ballot proposition concerned, if any, and whether the  
30 committee is in favor of or opposed to such proposition;

31 (h) What distribution of surplus funds will be made, in accordance  
32 with RCW 42.17.095 (as recodified by this act), in the event of  
33 dissolution;

34 (i) The street address of the place and the hours during which the  
35 committee will make available for public inspection its books of  
36 account and all reports filed in accordance with RCW 42.17.080 (as  
37 recodified by this act); and

1 (j) Such other information as the commission may by regulation  
2 prescribe, in keeping with the policies and purposes of this chapter.

3 (3) Any material change in information previously submitted in a  
4 statement of organization shall be reported to the commission and to  
5 the appropriate county elections officer within the ten days following  
6 the change.

7 **Sec. 403.** RCW 42.17.050 and 1989 c 280 s 3 are each amended to  
8 read as follows:

9 (1) Each candidate, within two weeks after becoming a candidate,  
10 and each political committee, at the time it is required to file a  
11 statement of organization, shall designate and file with the commission  
12 and the appropriate county elections officer the name(~~s~~) and  
13 address(~~es~~) of(~~+~~

14 ~~a~~) one legally competent individual, who may be the candidate,  
15 to serve as a treasurer(~~;~~ and

16 ~~b~~) A bank, mutual savings bank, savings and loan association, or  
17 credit union doing business in this state to serve as depository and  
18 the name of the account or accounts maintained in it)).

19 (2) A candidate, a political committee, or a treasurer may appoint  
20 as many deputy treasurers as is considered necessary and (~~may~~  
21 ~~designate not more than one additional depository in each other county~~  
22 ~~in which the campaign is conducted. The candidate or political~~  
23 ~~committee~~) shall file the names and addresses of the deputy treasurers  
24 (~~and additional depositories~~) with the commission and the appropriate  
25 county elections officer.

26 (3) (~~A candidate may not knowingly establish, use, direct, or~~  
27 ~~control more than one political committee for the purpose of supporting~~  
28 ~~that candidate during a particular election campaign. This does not~~  
29 ~~prohibit:~~ (a) In addition to a candidate's having his or her own  
30 political committee, the candidate's participation in a political  
31 committee established to support a slate of candidates which includes  
32 the candidate; or (b) joint fund raising efforts by candidates when a  
33 separate political committee is established for that purpose and all  
34 contributions are disbursed to and accounted for on a pro rata basis by  
35 the benefiting candidates.

36 ~~4~~) (a) A candidate or political committee may at any time remove  
37 a treasurer or deputy treasurer (~~or change a designated depository~~).

1 (b) In the event of the death, resignation, removal, or change of  
2 a treasurer(~~(7)~~) or deputy treasurer, (~~(or depository,7)~~) the candidate  
3 or political committee shall designate and file with the commission and  
4 the appropriate county elections officer the name and address of any  
5 successor.

6 (~~(5)~~) (4) No treasurer(~~(7)~~) or deputy treasurer(~~(7—or~~  
7 ~~depository)~~) may be deemed to be in compliance with the provisions of  
8 this chapter until his or her name and address is filed with the  
9 commission and the appropriate county elections officer.

10 NEW SECTION. Sec. 404. DEPOSITORIES. Each candidate and each  
11 political committee shall designate and file with the commission and  
12 the appropriate county elections officer the name and address of not  
13 more than one depository for each county in which the campaign is  
14 conducted in which the candidate's or political committee's accounts  
15 are maintained and the name of the account or accounts maintained in  
16 that depository on behalf of the candidate or political committee. The  
17 candidate or political committee may at any time change the designated  
18 depository and shall file with the commission and the appropriate  
19 county elections officer the same information for the successor  
20 depository as for the original depository. The candidate or political  
21 committee may not be deemed in compliance with the provisions of this  
22 chapter until the information required for the depository is filed with  
23 the commission and the appropriate county elections officer.

24 **Sec. 405.** RCW 42.17.060 and 1989 c 280 s 4 are each amended to  
25 read as follows:

26 (1) All monetary contributions received by a candidate or political  
27 committee shall be deposited by the treasurer or deputy treasurer in a  
28 depository in an account established and designated for that purpose.  
29 Such deposits shall be made within five business days of receipt of the  
30 contribution.

31 (2) Political committees (~~(which)~~) that support or oppose more than  
32 one candidate or ballot proposition, or exist for more than one  
33 purpose, may maintain multiple separate bank accounts within the same  
34 designated depository for such purpose(~~(:—PROVIDED, That)~~) only if:

35 (a) Each such account (~~(shall)~~) bears the same name;

1        (b) Each such account is followed by an appropriate designation  
2 ~~((which))~~ that accurately identifies its separate purpose(~~(:—AND~~  
3 ~~PROVIDED FURTHER, That))~~); and

4        (c) Transfers of funds ~~((which))~~ that must be reported under RCW  
5 42.17.090(1)~~((d) may))~~ (e) (as recodified by this act) are not ~~((be))~~  
6 made from more than one such account.

7        (3) Nothing in this section prohibits a candidate or political  
8 committee from investing funds on hand in a depository in bonds,  
9 certificates, or tax-exempt securities, or in savings accounts or other  
10 similar instruments in financial institutions, or in mutual funds other  
11 than the depository(~~(:—PROVIDED, That))~~) but only if:

12        (a) The commission and the appropriate county elections officer  
13 ~~((is))~~ are notified in writing of the initiation and the termination of  
14 the investment(~~(:—PROVIDED FURTHER, That))~~); and

15        (b) The principal of such investment, when terminated together with  
16 all interest, dividends, and income derived from the investment  
17 ~~((are)),~~ is deposited in the depository in the account from which the  
18 investment was made ~~((and properly reported to the commission and the~~  
19 ~~appropriate county elections officer prior to))~~ before any further  
20 disposition or expenditure ~~((thereof))~~.

21        (4) Accumulated unidentified contributions, other than those made  
22 by persons whose names must be maintained on a separate and private  
23 list by a political committee's treasurer pursuant to RCW  
24 42.17.090(1)(b) (as recodified by this act), ~~((which total))~~ in excess  
25 of one percent of the total accumulated contributions received in the  
26 current calendar year, or three hundred dollars ~~((+))~~, whichever is  
27 more~~((+))~~, may not be deposited, used, or expended, but shall be  
28 returned to the donor~~((r))~~ if his or her identity can be ascertained.  
29 If the donor cannot be ascertained, the contribution shall escheat to  
30 the state~~((r))~~ and shall be paid to the state treasurer for deposit in  
31 the state general fund.

32        ~~((5) A contribution of more than fifty dollars in currency may not~~  
33 ~~be accepted unless a receipt, signed by the contributor and by the~~  
34 ~~candidate, treasurer, or deputy treasurer, is prepared and made a part~~  
35 ~~of the campaign's or political committee's financial records.))~~

36        **Sec. 406.** RCW 42.17.065 and 2000 c 237 s 1 are each amended to  
37 read as follows:

1 (1) In addition to the provisions of this section, a continuing  
2 political committee shall file and report on the same conditions and at  
3 the same times as any other committee in accordance with the provisions  
4 of RCW 42.17.040, 42.17.050, and 42.17.060 (as recodified by this act).

5 (2) A continuing political committee shall file ~~((with the~~  
6 ~~commission and the auditor or elections officer of the county in which~~  
7 ~~the committee maintains its office or headquarters and if there is no~~  
8 ~~such office or headquarters then in the county in which the committee~~  
9 ~~treasurer resides))~~ a report on the tenth day of ~~((the))~~ each month  
10 detailing ~~((its activities))~~ expenditures made and contributions  
11 received for the preceding calendar month ~~((in which the committee has~~  
12 ~~received a contribution or made an expenditure: PROVIDED, That such))~~.  
13 This report ~~((shall))~~ need only be filed if either the total  
14 contributions received or total expenditures made since the last such  
15 report exceed two hundred dollars~~((: PROVIDED FURTHER, That after~~  
16 ~~January 1, 2002, if the committee files with the commission~~  
17 ~~electronically, it need not also file with the county auditor or~~  
18 ~~elections officer))~~. The report must be filed with the commission and  
19 the auditor or elections officer of the county in which the committee  
20 maintains its office or headquarters. If the committee does not have  
21 an office or headquarters, the report must be filed in the county where  
22 the committee treasurer resides. After January 1, 2002, if the  
23 committee files with the commission electronically, it need not also  
24 file with the county auditor or elections officer. The report shall be  
25 on a form supplied by the commission and shall include the following  
26 information:

27 (a) The information required by RCW 42.17.090 (as recodified by  
28 this act);

29 (b) Each expenditure made to retire previously accumulated debts of  
30 the committee~~((+))~~ identified by recipient, amount, and date of  
31 payments;

32 (c) ~~((Such))~~ Other information ~~((as))~~ the commission shall  
33 prescribe by rule ~~((prescribe))~~.

34 (3) If a continuing political committee ~~((shall))~~ makes a  
35 contribution in support of or in opposition to a candidate or ballot  
36 proposition within sixty days ~~((prior to))~~ before the date ~~((on which~~  
37 ~~such))~~ that the candidate or ballot proposition will be voted upon,

1 ((~~such continuing political~~)) the committee shall report pursuant to  
2 RCW 42.17.080 (as recodified by this act).

3 (4) A continuing political committee shall file reports as required  
4 by this chapter until it is dissolved, at which time a final report  
5 shall be filed. Upon submitting a final report, the duties of the  
6 ((~~campaign~~)) treasurer shall cease and there shall be no obligation to  
7 make any further reports.

8 (5) The ((~~campaign~~)) treasurer shall maintain books of account,  
9 current within five business days, that accurately ((~~reflecting~~))  
10 reflect all contributions and expenditures ((~~on a current basis within~~  
11 ~~five business days of receipt or expenditure~~)). During the eight days  
12 immediately preceding the date of any election((~~, for which~~)) that  
13 the committee has received any contributions or made any expenditures, the  
14 books of account shall be kept current within one business day and  
15 shall be open for public inspection in the same manner as provided for  
16 candidates and other political committees in RCW 42.17.080(5) (as  
17 recodified by this act).

18 (6) All reports filed pursuant to this section shall be certified  
19 as correct by the ((~~campaign~~)) treasurer.

20 (7) The ((~~campaign~~)) treasurer shall preserve books of account,  
21 bills, receipts, and all other financial records of the campaign or  
22 political committee for not less than five calendar years following the  
23 year during which the transaction occurred.

24 **Sec. 407.** RCW 42.17.067 and 1989 c 280 s 6 are each amended to  
25 read as follows:

26 (1) Fund-raising activities ((~~which meet~~)) meeting the standards of  
27 subsection (2) of this section may be reported in accordance with the  
28 provisions of this section in lieu of reporting in accordance with RCW  
29 42.17.080 (as recodified by this act).

30 (2) Standards:

31 (a) The activity consists of one or more of the following:

32 (i) ((~~The retail~~)) A sale of goods or services sold at a reasonable  
33 approximation of the fair market value of each item or service ((~~sold~~  
34 ~~at the activity~~)); or

35 (ii) A gambling operation ((~~which~~)) that is licensed, conducted, or  
36 operated in accordance with the provisions of chapter 9.46 RCW; or

1 (iii) A gathering where food and beverages are purchased(~~(, where))~~  
2 and the price of admission or the per person charge for the food and  
3 beverages is no more than twenty-five dollars; or  
4 (iv) A concert, dance, theater performance, or similar  
5 entertainment event (~~where))~~ and the price of admission is no more  
6 than twenty-five dollars; or  
7 (v) An auction or similar sale (~~where))~~ for which the total fair  
8 market value of items donated by any person (~~for sale))~~ is no more  
9 than fifty dollars; and  
10 (b) No person responsible for receiving money at (~~such))~~ the fund-  
11 raising activity knowingly accepts payments from a single person at or  
12 from such an activity to the candidate or committee aggregating more  
13 than fifty dollars unless the name and address of the person making  
14 (~~such))~~ the payment, together with the amount paid to the candidate or  
15 committee are disclosed in the report filed pursuant to subsection (6)  
16 of this section; and  
17 (c) (~~Such))~~ Any other standards (~~as shall be))~~ established by  
18 rule of the commission to prevent frustration of the purposes of this  
19 chapter.  
20 (3) All funds received from a fund-raising activity (~~which))~~ that  
21 conforms with subsection (2) of this section (~~shall))~~ must be  
22 deposited in the depository within five business days of receipt by the  
23 treasurer or deputy treasurer (~~in the depository)).~~  
24 (4) At the time reports are required under RCW 42.17.080 (as  
25 recodified by this act), the treasurer or deputy treasurer making the  
26 deposit shall file with the commission and the appropriate county  
27 elections officer a report of the fund-raising activity which (~~shall))~~  
28 must contain the following information:  
29 (a) The date of the activity;  
30 (b) A precise description of the fund-raising methods used in the  
31 activity; and  
32 (c) The total amount of cash receipts from persons, each of whom  
33 paid no more than fifty dollars.  
34 (5) The treasurer or deputy treasurer shall certify the report is  
35 correct.  
36 (6) The treasurer shall report pursuant to RCW 42.17.080 and  
37 42.17.090 (as recodified by this act):

1 (a) The name and address and the amount contributed (~~(of)~~) by each  
2 person (~~(who contributes)~~) contributing goods or services with a fair  
3 market value of more than fifty dollars to a fund-raising activity  
4 reported under subsection (4) of this section(~~(7)~~); and

5 (b) The name and address (of) and the amount paid by each person  
6 whose identity can be ascertained, (~~(and the amount paid, from whom~~  
7 ~~were knowingly received payments)~~) who made a contribution to the  
8 candidate or committee aggregating more than fifty dollars at or from  
9 such a fund-raising activity.

10 **Sec. 408.** RCW 42.17.080 and 2006 c 344 s 30 are each amended to  
11 read as follows:

12 (1) In addition to the information required under RCW 42.17.040 and  
13 42.17.050 (as recodified by this act), on the day the treasurer is  
14 designated, each candidate or political committee (~~(shall)~~) must file  
15 with the commission and the county auditor or elections officer of the  
16 county in which the candidate resides, or in the case of a political  
17 committee, the county in which the treasurer resides, (~~(in addition to~~  
18 ~~any statement of organization required under RCW 42.17.040 or~~  
19 ~~42.17.050,)~~) a report of all contributions received and expenditures  
20 made (~~(prior to)~~) before that date, if any.

21 (2) (~~(At the following intervals)~~) Each treasurer shall file with  
22 the commission and the county auditor or elections officer of the  
23 county in which the candidate resides, or in the case of a political  
24 committee, the county in which the committee maintains its office or  
25 headquarters, (~~(and if there is no office or headquarters then)~~) or in  
26 the county in which the treasurer resides if there is no office or  
27 headquarters, a report containing the information required by RCW  
28 42.17.090 (as recodified by this act) at the following intervals:

29 (a) On the twenty-first day and the seventh day immediately  
30 preceding the date on which the election is held; (~~(and)~~)

31 (b) On the tenth day of the first month after the election; and

32 (c) On the tenth day of each month in which no other reports are  
33 required to be filed under this section(~~(: PROVIDED, That such report~~  
34 ~~shall only be filed)~~) only if the committee has received a contribution  
35 or made an expenditure in the preceding calendar month and either the  
36 total contributions received or total expenditures made since the last  
37 such report exceed two hundred dollars.

1       (~~When there is no outstanding debt or obligation, and the campaign~~  
2 ~~fund is closed, and the campaign is concluded in all respects, and in~~  
3 ~~the case of a political committee, the committee has ceased to function~~  
4 ~~and has dissolved, the treasurer shall file a final report. Upon~~  
5 ~~submitting a final report, the duties of the treasurer shall cease and~~  
6 ~~there shall be no obligation to make any further reports.))~~

7       The report filed twenty-one days before the election shall report  
8 all contributions received and expenditures made as of the end of the  
9 fifth business day before the date of the report. The report filed  
10 seven days before the election shall report all contributions received  
11 and expenditures made as of the end of the one business day before the  
12 date of the report. Reports filed on the tenth day of the month shall  
13 report all contributions received and expenditures made from the  
14 closing date of the last report filed through the last day of the month  
15 preceding the date of the current report.

16       (3) For the period beginning the first day of the fourth month  
17 preceding the date (~~on which~~) of the special election (~~is held~~), or  
18 for the period beginning the first day of the fifth month before the  
19 date (~~on which~~) of the general election (~~is held~~), and ending on  
20 the date of that special or general election, each Monday the treasurer  
21 shall file with the commission and the appropriate county elections  
22 officer a report of each bank deposit made during the previous seven  
23 calendar days. The report shall contain the name of each person  
24 contributing the funds (~~so deposited~~) and the amount contributed by  
25 each person. However, (~~contributions of~~) persons who contribute no  
26 more than twenty-five dollars in the aggregate (~~from any one person~~  
27 ~~may be deposited without identifying the contributor~~) are not required  
28 to be identified in the report. A copy of the report shall be retained  
29 by the treasurer for his or her records. In the event of deposits made  
30 by a deputy treasurer, the copy shall be forwarded to the treasurer for  
31 his or her records. Each report shall be certified as correct by the  
32 treasurer or deputy treasurer making the deposit.

33       (4) If a city requires that candidates or committees for city  
34 offices file reports with a city agency, the candidate or treasurer  
35 (~~so filing need not also~~) complying with that requirement does not  
36 need to file the report with the county auditor or elections officer.

37       (5) The treasurer or candidate shall maintain books of account  
38 accurately reflecting all contributions and expenditures on a current

1 basis within five business days of receipt or expenditure. During the  
2 eight days immediately preceding the date of the election the books of  
3 account shall be kept current within one business day. As specified in  
4 the committee's statement of organization filed under RCW 42.17.040 (as  
5 recodified by this act), the books of account must be open for public  
6 inspection by appointment at the designated place for inspections  
7 between 8:00 a.m. and 8:00 p.m. on any day from the eighth day  
8 immediately before the election through the day immediately before the  
9 election, other than Saturday, Sunday, or a legal holiday. It is a  
10 violation of this chapter for a candidate or political committee to  
11 refuse to allow and keep an appointment for an inspection to be  
12 conducted during these authorized times and days. The appointment must  
13 be allowed at an authorized time and day for such inspections that is  
14 within twenty-four hours of the time and day that is requested for the  
15 inspection.

16 ~~(6) ((The treasurer or candidate shall preserve books of account,~~  
17 ~~bills, receipts, and all other financial records of the campaign or~~  
18 ~~political committee for not less than five calendar years following the~~  
19 ~~year during which the transaction occurred.~~

20 ~~(7) All reports filed pursuant to subsection (1) or (2) of this~~  
21 ~~section shall be certified as correct by the candidate and the~~  
22 ~~treasurer.~~

23 ~~(8))~~ Copies of all reports filed pursuant to this section shall be  
24 readily available for public inspection for at least two consecutive  
25 hours Monday through Friday, excluding legal holidays, between 8:00  
26 a.m. and 8:00 p.m., as specified in the committee's statement of  
27 organization (~~filed pursuant to RCW 42.17.040~~), at the principal  
28 headquarters or, if there is no headquarters, at the address of the  
29 treasurer or such other place as may be authorized by the commission.

30 ~~((9))~~ (7) After January 1, 2002, a report that is filed with the  
31 commission electronically need not also be filed with the county  
32 auditor or elections officer.

33 ~~((10) The commission shall adopt administrative rules establishing~~  
34 ~~requirements for filer participation in any system designed and~~  
35 ~~implemented by the commission for the electronic filing of reports.)~~

36 (8) The treasurer or candidate shall preserve books of account,  
37 bills, receipts, and all other financial records of the campaign or

1 political committee for not less than five calendar years following the  
2 year during which the transaction occurred.

3 (9) All reports filed pursuant to subsection (1) or (2) of this  
4 section shall be certified as correct by the candidate and the  
5 treasurer.

6 (10) When there is no outstanding debt or obligation, the campaign  
7 fund is closed, and the campaign is concluded in all respects or in the  
8 case of a political committee, the committee has ceased to function and  
9 has dissolved, the treasurer shall file a final report. Upon  
10 submitting a final report, the duties of the treasurer shall cease and  
11 there is no obligation to make any further reports.

12 **Sec. 409.** RCW 42.17.090 and 2003 c 123 s 1 are each amended to  
13 read as follows:

14 ~~((1))~~ Each report required under RCW 42.17.080 (1) and (2) (as  
15 recodified by this act) must be certified as correct by the treasurer  
16 and the candidate and shall disclose the following:

17 ~~((a))~~ (1) The funds on hand at the beginning of the period;

18 ~~((b))~~ (2) The name and address of each person who has made one or  
19 more contributions during the period, together with the money value and  
20 date of ~~((such))~~ each contribution~~((s))~~ and the aggregate value of all  
21 contributions received from each ~~((such))~~ person during the campaign,  
22 or in the case of a continuing political committee, the current  
23 calendar year~~((: PROVIDED, That))~~, with the following exceptions:

24 (a) Pledges in the aggregate of less than one hundred dollars from  
25 any one person need not be reported~~((: PROVIDED FURTHER, That the))~~;

26 (b) Income ~~((which))~~ that results from a fund-raising activity  
27 conducted in accordance with RCW 42.17.067 (as recodified by this act)  
28 may be reported as one lump sum, with the exception of that portion  
29 ~~((of such income which was))~~ received from persons whose names and  
30 addresses are required to be included in the report required by RCW  
31 42.17.067~~((: PROVIDED FURTHER, That))~~ (as recodified by this act);

32 (c) Contributions of no more than twenty-five dollars in the  
33 aggregate from any one person during the election campaign may be  
34 reported as one lump sum ~~((so long as))~~ if the ~~((campaign))~~ treasurer  
35 maintains a separate and private list of the name, address, and amount  
36 of each such contributor~~((: PROVIDED FURTHER, That))~~; and

1        (d) The money value of contributions of postage shall be the face  
2 value of ~~((such))~~ the postage;

3        ~~((+e))~~ (3) Each loan, promissory note, or security instrument to  
4 be used by or for the benefit of the candidate or political committee  
5 made by any person, ~~((together with))~~ including the names and addresses  
6 of the lender and each person liable directly, indirectly or  
7 contingently and the date and amount of each such loan, promissory  
8 note, or security instrument;

9        ~~((+d))~~ (4) All other contributions not otherwise listed or  
10 exempted;

11        ~~((+e))~~ (5) The name and address of each candidate or political  
12 committee to which any transfer of funds was made, ~~((together with))~~  
13 including the amounts and dates of ~~((such))~~ the transfers;

14        ~~((+f))~~ (6) The name and address of each person to whom an  
15 expenditure was made in the aggregate amount of more than fifty dollars  
16 during the period covered by this report, ~~((and))~~ the amount, date, and  
17 purpose of each ~~((such))~~ expenditure ~~((A candidate for state  
18 executive or state legislative office or the political committee of  
19 such a candidate shall report this information for an expenditure under  
20 one of the following categories, whichever is appropriate: (i)  
21 Expenditures for the election of the candidate; (ii) expenditures for  
22 nonreimbursed public office related expenses; (iii) expenditures  
23 required to be reported under (e) of this subsection; or (iv)  
24 expenditures of surplus funds and other expenditures. The report of  
25 such a candidate or committee shall contain a separate total of  
26 expenditures for each category and a total sum of all expenditures.  
27 Other candidates and political committees need not report information  
28 regarding expenditures under the categories listed in (i) through (iv)  
29 of this subsection or under similar such categories unless required to  
30 do so by the commission by rule. The report of such an other candidate  
31 or committee shall also contain)), and the total sum of all  
32 expenditures;~~

33        ~~((+g))~~ (7) The name and address of each person ~~((to whom any  
34 expenditure was made directly or indirectly to compensate the person))  
35 directly or indirectly compensated for soliciting or procuring  
36 signatures on an initiative or referendum petition, the amount of  
37 ~~((such))~~ the compensation to each ~~((such))~~ person, and the total ~~((of  
38 the))~~ expenditures made for this purpose. Such expenditures shall be~~

1 reported under this subsection (~~((1)(g) whether the expenditures are or~~  
2 ~~are not also~~) in addition to what is required to be reported under  
3 (~~((f) of this~~) subsection (6) of this section;

4 (~~((h))~~) (8) The name and address of any person and the amount owed  
5 for any debt, obligation, note, unpaid loan, or other liability in the  
6 amount of more than two hundred fifty dollars or in the amount of more  
7 than fifty dollars that has been outstanding for over thirty days;

8 (~~((i))~~) (9) The surplus or deficit of contributions over  
9 expenditures;

10 (~~((j))~~) (10) The disposition made in accordance with RCW 42.17.095  
11 (as recodified by this act) of any surplus funds; and

12 (~~((k) Such)~~) (11) Any other information (~~(as shall be)~~) required by  
13 the commission by rule in conformance with the policies and purposes of  
14 this chapter.

15 (~~((2) The treasurer and the candidate shall certify the correctness~~  
16 ~~of each report.))~~

17 **Sec. 410.** RCW 42.17.3691 and 2000 c 237 s 4 are each amended to  
18 read as follows:

19 (1) (~~(Beginning January 1, 2002, each candidate or political~~  
20 ~~committee that expended twenty five thousand dollars or more in the~~  
21 ~~preceding year or expects to expend twenty five thousand dollars or~~  
22 ~~more in the current year shall file all contribution reports and~~  
23 ~~expenditure reports required by this chapter by the electronic~~  
24 ~~alternative provided by the commission under RCW 42.17.369. The~~  
25 ~~commission may make exceptions on a case by case basis for candidates~~  
26 ~~whose authorized committees lack the technological ability to file~~  
27 ~~reports using the electronic alternative provided by the commission.~~

28 (2) ~~(Beginning January 1, 2004,~~) Each candidate or political  
29 committee that expended ten thousand dollars or more in the preceding  
30 year or expects to expend ten thousand dollars or more in the current  
31 year shall file all contribution reports and expenditure reports  
32 required by this chapter by the electronic alternative provided by the  
33 commission under RCW 42.17.369 (as recodified by this act). The  
34 commission may make exceptions on a case-by-case basis for candidates  
35 whose authorized committees lack the technological ability to file  
36 reports using the electronic alternative provided by the commission.

1       (~~(3)~~) (2) Failure by a candidate or political committee to comply  
2 with this section is a violation of this chapter.

3       **Sec. 411.** RCW 42.17.093 and 2006 c 348 s 6 are each amended to  
4 read as follows:

5       (1) An out-of-state political committee organized for the purpose  
6 of supporting or opposing candidates or ballot propositions in another  
7 state that is not otherwise required to report under RCW 42.17.040  
8 through 42.17.090 (as recodified by this act) shall report as required  
9 in this section when it makes an expenditure supporting or opposing a  
10 Washington state candidate or political committee. The committee shall  
11 file with the commission a statement disclosing:

12       (a) Its name and address;

13       (b) The purposes of the out-of-state committee;

14       (c) The names, addresses, and titles of its officers or, if it has  
15 no officers, the names, addresses, and the titles of its responsible  
16 leaders;

17       (d) The name, office sought, and party affiliation of each  
18 candidate in the state of Washington whom the out-of-state committee is  
19 supporting or opposing and, if (~~such~~) the committee is supporting or  
20 opposing the entire ticket of any party, the name of the party;

21       (e) The ballot proposition supported or opposed in the state of  
22 Washington, if any, and whether (~~such~~) the committee is in favor of  
23 or opposed to (~~such~~) that proposition;

24       (f) The name and address of each person residing in the state of  
25 Washington or corporation (~~which~~) that has a place of business in the  
26 state of Washington who has made one or more contributions in the  
27 aggregate of more than twenty-five dollars to the out-of-state  
28 committee during the current calendar year, together with the money  
29 value and date of (~~such~~) the contributions;

30       (g) The name, address, and employer of each person or corporation  
31 residing outside the state of Washington who has made one or more  
32 contributions in the aggregate of more than two thousand five hundred  
33 dollars to the out-of-state committee during the current calendar year,  
34 together with the money value and date of (~~such~~) the contributions.  
35 Annually, the commission must modify the two thousand five hundred  
36 dollar limit in this subsection based on percentage change in the

1 implicit price deflator for personal consumption expenditures for the  
2 United States as published for the most recent twelve-month period by  
3 the bureau of economic analysis of the federal department of commerce;

4 (h) The name and address of each person in the state of Washington  
5 to whom an expenditure was made by the out-of-state committee with  
6 respect to a candidate or political committee in the aggregate amount  
7 of more than fifty dollars, the amount, date, and purpose of ((such))  
8 the expenditure, and the total sum of ((such)) the expenditures; and

9 (i) ((Such)) Any other information as the commission may prescribe  
10 by rule in keeping with the policies and purposes of this chapter.

11 (2) Each statement shall be filed no later than the tenth day of  
12 the month following any month in which a contribution or other  
13 expenditure reportable under subsection (1) of this section is made.  
14 An out-of-state committee incurring an obligation to file additional  
15 statements in a calendar year may satisfy the obligation by timely  
16 filing reports that supplement previously filed information.

17 **Sec. 412.** RCW 42.17.100 and 1995 c 397 s 28 are each amended to  
18 read as follows:

19 (1) For the purposes of this section and RCW 42.17.550 ((~~the term~~))  
20 (as recodified by this act), "independent expenditure" means any  
21 expenditure that is made in support of or in opposition to any  
22 candidate or ballot proposition and is not otherwise required to be  
23 reported pursuant to RCW 42.17.060, 42.17.080, or 42.17.090 (as  
24 recodified by this act). "Independent expenditure" does not include:  
25 An internal political communication primarily limited to the  
26 contributors to a political party organization or political action  
27 committee, or the officers, management staff, and stockholders of a  
28 corporation or similar enterprise, or the members of a labor  
29 organization or other membership organization; or the rendering of  
30 personal services of the sort commonly performed by volunteer campaign  
31 workers, or incidental expenses personally incurred by volunteer  
32 campaign workers not in excess of fifty dollars personally paid for by  
33 the worker. "Volunteer services," for the purposes of this section,  
34 means services or labor for which the individual is not compensated by  
35 any person.

36 (2) Within five days after the date of making an independent  
37 expenditure that by itself or when added to all other ((such))

1 independent expenditures made during the same election campaign by the  
2 same person equals one hundred dollars or more, or within five days  
3 after the date of making an independent expenditure for which no  
4 reasonable estimate of monetary value is practicable, whichever occurs  
5 first, the person who made the independent expenditure shall file with  
6 the commission and the county elections officer of the county of  
7 residence for the candidate supported or opposed by the independent  
8 expenditure (or in the case of an expenditure made in support of or in  
9 opposition to a local ballot proposition, the county of residence for  
10 the person making the expenditure) an initial report of all independent  
11 expenditures made during the campaign (~~(prior to)~~) before and including  
12 such date.

13 (3) At the following intervals each person who is required to file  
14 an initial report pursuant to subsection (2) of this section shall file  
15 with the commission and the county elections officer of the county of  
16 residence for the candidate supported or opposed by the independent  
17 expenditure (or in the case of an expenditure made in support of or in  
18 opposition to a ballot proposition, the county of residence for the  
19 person making the expenditure) a further report of the independent  
20 expenditures made since the date of the last report:

21 (a) On the twenty-first day and the seventh day preceding the date  
22 on which the election is held; and

23 (b) On the tenth day of the first month after the election; and

24 (c) On the tenth day of each month in which no other reports are  
25 required to be filed pursuant to this section. However, the further  
26 reports required by this subsection (3) shall only be filed if the  
27 reporting person has made an independent expenditure since the date of  
28 the last previous report filed.

29 (4) The report filed pursuant to (~~(paragraph (a) of this)~~)  
30 subsection (3)(a) of this section shall be the final report, and upon  
31 submitting such final report the duties of the reporting person shall  
32 cease, and there shall be no obligation to make any further reports.

33 (~~(+4)~~) (5) All reports filed pursuant to this section shall be  
34 certified as correct by the reporting person.

35 (~~(+5)~~) (6) Each report required by subsections (2) and (3) of this  
36 section shall disclose for the period beginning at the end of the  
37 period for the last previous report filed or, in the case of an initial

1 report, beginning at the time of the first independent expenditure, and  
2 ending not more than one business day before the date the report is  
3 due:

4 (a) The name and address of the person filing the report;

5 (b) The name and address of each person to whom an independent  
6 expenditure was made in the aggregate amount of more than fifty  
7 dollars, and the amount, date, and purpose of each (~~such~~)  
8 expenditure. If no reasonable estimate of the monetary value of a  
9 particular independent expenditure is practicable, it is sufficient to  
10 report instead a precise description of services, property, or rights  
11 furnished through the expenditure, and where appropriate, to attach a  
12 copy of the item produced or distributed by the expenditure;

13 (c) The total sum of all independent expenditures made during the  
14 campaign to date; and

15 (d) (~~Such~~) Any other information (~~as shall be required by~~) the  
16 commission may require by rule (~~in conformance with the policies and~~  
17 ~~purposes of this chapter~~)).

18 **Sec. 413.** RCW 42.17.103 and 2005 c 445 s 7 are each amended to  
19 read as follows:

20 (1) The sponsor of political advertising who, within twenty-one  
21 days of an election, publishes, mails, or otherwise presents to the  
22 public political advertising supporting or opposing a candidate or  
23 ballot proposition that qualifies as an independent expenditure with a  
24 fair market value of one thousand dollars or more shall deliver, either  
25 electronically or in written form, a special report to the commission  
26 within twenty-four hours of, or on the first working day after, the  
27 date the political advertising is first published, mailed, or otherwise  
28 presented to the public.

29 (2) If a sponsor is required to file a special report under this  
30 section, the sponsor shall also deliver to the commission within the  
31 delivery period established in subsection (1) of this section a special  
32 report for each subsequent independent expenditure of any size  
33 supporting or opposing the same candidate who was the subject of the  
34 previous independent expenditure, supporting or opposing that  
35 candidate's opponent, or supporting or opposing the same ballot  
36 proposition that was the subject of the previous independent  
37 expenditure.

1 (3) The special report must include (~~at least~~):  
2 (a) The name and address of the person making the expenditure;  
3 (b) The name and address of the person to whom the expenditure was  
4 made;  
5 (c) A detailed description of the expenditure;  
6 (d) The date the expenditure was made and the date the political  
7 advertising was first published or otherwise presented to the public;  
8 (e) The amount of the expenditure;  
9 (f) The name of the candidate supported or opposed by the  
10 expenditure, the office being sought by the candidate, and whether the  
11 expenditure supports or opposes the candidate; or the name of the  
12 ballot proposition supported or opposed by the expenditure and whether  
13 the expenditure supports or opposes the ballot proposition; and  
14 (g) Any other information the commission may require by rule.  
15 (4) All persons required to report under RCW 42.17.065, 42.17.080,  
16 42.17.090, 42.17.100, and 42.17.565 (as recodified by this act) are  
17 subject to the requirements of this section. The commission may  
18 determine that reports filed pursuant to this section also satisfy the  
19 requirements of RCW 42.17.100 (as recodified by this act).  
20 (5) The sponsor of independent expenditures supporting a candidate  
21 or opposing that candidate's opponent required to report under this  
22 section shall file with each required report an affidavit or  
23 declaration of the person responsible for making the independent  
24 expenditure that the expenditure was not made in cooperation,  
25 consultation, or concert with, or at the request or suggestion of, the  
26 candidate, the candidate's authorized committee, or the candidate's  
27 agent, or with the encouragement or approval of the candidate, the  
28 candidate's authorized committee, or the candidate's agent.

29 **Sec. 414.** RCW 42.17.105 and 2001 c 54 s 2 are each amended to read  
30 as follows:

31 (1) (~~Campaign~~) Treasurers shall prepare and deliver to the  
32 commission a special report (~~regarding any~~) when a contribution or  
33 aggregate of contributions which (~~is~~) totals one thousand dollars  
34 or more (~~is~~), is from a single person or entity (~~is~~), and is received  
35 during a special reporting period.

36 (~~Any~~) (2) A political committee (making) shall prepare and  
37 deliver to the commission a special report when it makes a contribution

1 or an aggregate of contributions to a single entity (~~(which is)~~) that  
2 totals one thousand dollars or more (~~(shall also prepare and deliver to~~  
3 ~~the commission the special report if the contribution or aggregate of~~  
4 ~~contributions is made)~~) during a special reporting period.

5 (~~For the purposes of subsections (1) through (7) of this section:~~

6 ~~(a) Each of the following intervals is a)~~ (3) An aggregate of  
7 contributions includes only those contributions made to or received  
8 from a single entity during any one special reporting period. Any  
9 subsequent contribution of any size made to or received from the same  
10 person or entity during the special reporting period must also be  
11 reported.

12 (4) Special reporting periods, for purposes of this section,  
13 include: ((+i))

14 (a) The ((interval beginning after the)) period ((covered by))  
15 beginning on the day after the last report required by RCW 42.17.080  
16 and 42.17.090 (as recodified by this act) to be filed before a primary  
17 and concluding on the end of the day before that primary; ~~((and (ii))~~)

18 (b) The ((interval composed of the)) period twenty-one days  
19 preceding a general election; and

20 ~~((+b))~~ (c) An aggregate of contributions includes only those  
21 contributions received from a single entity during any one special  
22 reporting period or made by the contributing political committee to a  
23 single entity during any one special reporting period.

24 ~~((+2))~~ (5) If a campaign treasurer files a special report under  
25 this section for one or more contributions received from a single  
26 entity during a special reporting period, the treasurer shall also file  
27 a special report under this section for each subsequent contribution of  
28 any size which is received from that entity during the special  
29 reporting period. If a political committee files a special report  
30 under this section for a contribution or contributions made to a single  
31 entity during a special reporting period, the political committee shall  
32 also file a special report for each subsequent contribution of any size  
33 which is made to that entity during the special reporting period.

34 ~~((+3) Except as provided in subsection (4) of this section, the))~~  
35 (6) Special reports required by this section shall be delivered  
36 electronically or in written form, including but not limited to  
37 mailgram, telegram, or nightletter. The special report may be  
38 transmitted orally by telephone to the commission if the written form

1 of the report is postmarked and mailed to the commission or the  
2 electronic filing is transferred to the commission within the delivery  
3 periods established in (a) and (b) of this subsection.

4 (a) The special report required of a contribution recipient ~~((by))~~  
5 under subsection (1) of this section shall be delivered to the  
6 commission within forty-eight hours of the time, or on the first  
7 working day after: The contribution of one thousand dollars or more is  
8 received by the candidate or treasurer; the aggregate received by the  
9 candidate or treasurer first equals one thousand dollars or more; or  
10 ~~((the))~~ any subsequent contribution ~~((that must be reported under~~  
11 ~~subsection (2) of this section))~~ from the same source is received by  
12 the candidate or treasurer.

13 (b) The special report required of a contributor ~~((by))~~ under  
14 subsection ~~((+1))~~ (2) of this section or RCW 42.17.175 (as recodified  
15 by this act) shall be delivered to the commission, and the candidate or  
16 political committee to whom the contribution or contributions are made,  
17 within twenty-four hours of the time, or on the first working day  
18 after: The contribution is made; the aggregate of contributions made  
19 first equals one thousand dollars or more; or ~~((the))~~ any subsequent  
20 contribution ~~((that must be reported under subsection (2) of this~~  
21 ~~section))~~ to the same person or entity is made.

22 ~~((+4))~~ The special report may be transmitted orally by telephone to  
23 the commission to satisfy the delivery period required by subsection  
24 (3) of this section if the written form of the report is also mailed to  
25 the commission and postmarked within the delivery period established in  
26 subsection (3) of this section or the file transfer date of the  
27 electronic filing is within the delivery period established in  
28 subsection (3) of this section.

29 ~~((+5))~~ (7) The special report shall include ~~((at least))~~:

- 30 (a) The amount of the contribution or contributions;
- 31 (b) The date or dates of receipt;
- 32 (c) The name and address of the donor;
- 33 (d) The name and address of the recipient; and
- 34 (e) Any other information the commission may by rule require.

35 ~~((+6))~~ (8) Contributions reported under this section shall also be  
36 reported as required by other provisions of this chapter.

37 ~~((+7))~~ (9) The commission shall prepare daily a summary of the

1 special reports made under this section and RCW 42.17.175 (as  
2 recodified by this act).

3 ~~((8) It is a violation of this chapter for any person to make, or~~  
4 ~~for any candidate or political committee to accept from any one person,~~  
5 ~~contributions reportable under RCW 42.17.090 in the aggregate exceeding~~  
6 ~~fifty thousand dollars for any campaign for statewide office or~~  
7 ~~exceeding five thousand dollars for any other campaign subject to the~~  
8 ~~provisions of this chapter within twenty one days of a general~~  
9 ~~election. This subsection does not apply to contributions made by, or~~  
10 ~~accepted from, a bona fide political party as defined in this chapter,~~  
11 ~~excluding the county central committee or legislative district~~  
12 ~~committee.~~

13 ~~(9))~~ (10) Contributions governed by this section include, but are  
14 not limited to, contributions made or received indirectly through a  
15 third party or entity whether the contributions are or are not reported  
16 to the commission as earmarked contributions under RCW 42.17.135 (as  
17 recodified by this act).

18 **Sec. 415.** RCW 42.17.550 and 1993 c 2 s 23 are each amended to read  
19 as follows:

20 A person or entity, other than a party organization ~~((making))~~,  
21 must disclose an independent expenditure ~~((by))~~ that consists of  
22 mailing one thousand or more identical or nearly identical cumulative  
23 pieces of political advertising in a single calendar year ~~((shall))~~.  
24 A report must be made within two working days after the date of the  
25 mailing, ~~((file a statement))~~ disclosing the number of pieces in the  
26 mailing and an example of the mailed political advertising ~~((with))~~.  
27 The report must be sent to the election officer of the county ~~((or))~~ of  
28 residence ~~((for))~~ of the candidate supported or opposed by the  
29 independent campaign expenditure ~~((or))~~. In the case of an  
30 expenditure made in support of or in opposition to a ballot  
31 proposition, the report must be sent to the county of residence ~~((for))~~  
32 of the person making the expenditure.

33 **Sec. 416.** RCW 42.17.561 and 2005 c 445 s 1 are each amended to  
34 read as follows:

35 (1) The legislature finds that:

1 ((+1)) (a) Timely disclosure to voters of the identity and sources  
2 of funding for electioneering communications is vitally important to  
3 the integrity of state, local, and judicial elections.

4 ((+2)) (b) Electioneering communications that identify political  
5 candidates for state, local, or judicial office and that are  
6 distributed sixty days before an election for those offices are  
7 intended to influence voters and the outcome of those elections.

8 ((+3)) (c) The state has a compelling interest in providing voters  
9 information about electioneering communications in political campaigns  
10 concerning candidates for state, local, or judicial office so that  
11 voters can be fully informed as to the: ((+a)) (i) Source of support  
12 or opposition to those candidates; and ((+b)) (ii) identity of persons  
13 attempting to influence the outcome of state, local, and judicial  
14 candidate elections.

15 ((+4)) (d) Nondisclosure of financial information about  
16 advertising that masquerades as relating only to issues and not to  
17 candidate campaigns fosters corruption or the appearance of corruption.  
18 These consequences can be substantially avoided by full disclosure of  
19 the identity and funding of those persons paying for such advertising.

20 ((+5)) (e) The United States supreme court held in *McConnell et*  
21 *al. v. Federal Elections Commission*, 540 U.S. 93, 124 S.Ct. 619, 157  
22 L.Ed.2d 491 (2003) that speakers seeking to influence elections do not  
23 possess an inviolable free speech right to engage in electioneering  
24 communications regarding elections, including when issue advocacy is  
25 the functional equivalent of express advocacy. Therefore, such  
26 election campaign communications can be regulated and the source of  
27 funding disclosed.

28 ((+6)) (f) The state ((also)) has a sufficiently compelling  
29 interest in preventing corruption in political campaigns to justify and  
30 restore contribution limits and restrictions on the use of soft money  
31 in RCW 42.17.640 (as recodified by this act). Those interests include  
32 restoring restrictions on the use of such funds for electioneering  
33 communications, as well as the laws preventing circumvention of those  
34 limits and restrictions.

35 (2) Based upon the findings in this section, chapter 445, Laws of  
36 2005 is narrowly tailored to accomplish the following and is intended  
37 to:

1 (a) Improve the disclosure to voters of information concerning  
2 persons and entities seeking to influence state, local, and judicial  
3 campaigns through reasonable and effective mechanisms, including  
4 improving disclosure of the source, identity, and funding of  
5 electioneering communications concerning state, local, and judicial  
6 candidate campaigns;

7 (b) Regulate electioneering communications that mention state,  
8 local, and judicial candidates and that are broadcast, mailed, erected,  
9 distributed, or otherwise published right before the election so that  
10 the public knows who is paying for such communications;

11 (c) Reenact and amend the contribution limits in RCW 42.17.640 (7)  
12 and (15) (as recodified by this act) and the restrictions on the use of  
13 soft money, including as applied to electioneering communications, as  
14 those limits and restrictions were in effect following the passage of  
15 chapter 2, Laws of 1993 (Initiative Measure No. 134) and before the  
16 state supreme court decision in *Washington State Republican Party v.*  
17 *Washington State Public Disclosure Commission*, 141 Wn.2d 245, 4 P.3d  
18 808 (2000). The commission is authorized to fully restore the  
19 implementation of the limits and restrictions of RCW 42.17.640 (7) and  
20 (15) (as recodified by this act) in light of *McConnell et al. v.*  
21 *Federal Elections Commission*, 540 U.S. 93, 124 S.Ct. 619, 157 L.Ed.2d  
22 491 (2003). The United States supreme court upheld the disclosure and  
23 regulation of electioneering communications in political campaigns,  
24 including but not limited to issue advocacy that is the functional  
25 equivalent of express advocacy; and

26 (d) Authorize the commission to adopt rules to implement chapter  
27 445, Laws of 2005.

28 **Sec. 417.** RCW 42.17.565 and 2005 c 445 s 3 are each amended to  
29 read as follows:

30 (1) A payment for or promise to pay for any electioneering  
31 communication shall be reported to the commission by the sponsor on  
32 forms the commission shall develop by rule to include, at a minimum,  
33 the following information:

34 (a) Name and address of the sponsor;

35 (b) Source of funds for the communication, including:

36 (i) General treasury funds. The name and address of businesses,  
37 unions, groups, associations, or other organizations using general

1 treasury funds for the communication, however, if a business, union,  
2 group, association, or other organization undertakes a special  
3 solicitation of its members or other persons for an electioneering  
4 communication, or it otherwise receives funds for an electioneering  
5 communication, that entity shall report pursuant to (b)(ii) of this  
6 subsection;

7 (ii) Special solicitations and other funds. The name, address,  
8 and, for individuals, occupation and employer, of a person whose funds  
9 were used to pay for the electioneering communication, along with the  
10 amount, if such funds from the person have exceeded two hundred fifty  
11 dollars in the aggregate for the electioneering communication; and

12 (iii) Any other source information required or exempted by the  
13 commission by rule;

14 (c) Name and address of the person to whom an electioneering  
15 communication related expenditure was made;

16 (d) A detailed description of each expenditure of more than one  
17 hundred dollars;

18 (e) The date the expenditure was made and the date the  
19 electioneering communication was first broadcast, transmitted, mailed,  
20 erected, distributed, or otherwise published;

21 (f) The amount of the expenditure;

22 (g) The name of each candidate clearly identified in the  
23 electioneering communication, the office being sought by each  
24 candidate, and the amount of the expenditure attributable to each  
25 candidate; and

26 (h) Any other information the commission may require or exempt by  
27 rule.

28 (2) Electioneering communications shall be reported as follows:  
29 The sponsor of an electioneering communication shall report to the  
30 commission within twenty-four hours of, or on the first working day  
31 after, the date the electioneering communication is broadcast,  
32 transmitted, mailed, erected, distributed, or otherwise published.

33 (3) Electioneering communications shall be reported electronically  
34 by the sponsor using software provided or approved by the commission.  
35 The commission may make exceptions on a case-by-case basis for a  
36 sponsor who lacks the technological ability to file reports using the  
37 electronic means provided or approved by the commission.

1 (4) All persons required to report under RCW 42.17.065, 42.17.080,  
2 42.17.090, and 42.17.100 (as recodified by this act) are subject to the  
3 requirements of this section, although the commission may determine by  
4 rule that persons filing according to those sections may be exempt from  
5 reporting some of the information otherwise required by this section.  
6 The commission may determine that reports filed pursuant to this  
7 section also satisfy the requirements of RCW 42.17.100 and 42.17.103  
8 (as recodified by this act).

9 (5) Failure of any sponsor to report electronically under this  
10 section shall be a violation of this chapter.

11 **Sec. 418.** RCW 42.17.570 and 2005 c 445 s 4 are each amended to  
12 read as follows:

13 (1) An electioneering communication made by a person in  
14 cooperation, consultation, or concert with, or at the request or  
15 suggestion of, a candidate, a candidate's authorized committee, or  
16 their agents is a contribution to the candidate.

17 (2) An electioneering communication made by a person in  
18 cooperation, consultation, or concert with, or at the request or  
19 suggestion of, a political committee or its agents is a contribution to  
20 the political committee.

21 (3) If an electioneering communication is not a contribution  
22 pursuant to subsection (1) or (2) of this section, the sponsor shall  
23 file an affidavit or declaration so stating at the time the sponsor is  
24 required to report the electioneering communication expense under RCW  
25 42.17.565 (as recodified by this act).

26 **Sec. 419.** RCW 42.17.575 and 2005 c 445 s 5 are each amended to  
27 read as follows:

28 (1) The sponsor of an electioneering communication shall preserve  
29 all financial records relating to the communication, including books of  
30 account, bills, receipts, contributor information, and ledgers, for not  
31 less than five calendar years following the year in which the  
32 communication was broadcast, transmitted, mailed, erected, or otherwise  
33 published.

34 (2) All reports filed under RCW 42.17.565 (as recodified by this  
35 act) shall be certified as correct by the sponsor. If the sponsor is  
36 an individual using his or her own funds to pay for the communication,

1 the certification shall be signed by the individual. If the sponsor is  
2 a political committee, the certification shall be signed by the  
3 committee treasurer. If the sponsor is another entity, the  
4 certification shall be signed by the individual responsible for  
5 authorizing the expenditure on the entity's behalf.

6 **Sec. 420.** RCW 42.17.135 and 1989 c 280 s 13 are each amended to  
7 read as follows:

8 A candidate or political committee receiving a contribution  
9 earmarked for the benefit of another candidate or political committee  
10 shall:

11 (1) Report the contribution as required in RCW 42.17.080 and  
12 42.17.090 (as recodified by this act);

13 (2) Complete a report, entitled "Earmarked contributions," on a  
14 form prescribed by the commission (~~(by rule, which)~~) that identifies  
15 the name and address of the person who made the contribution, the  
16 candidate or political committee for whose benefit the contribution is  
17 earmarked, the amount of the contribution, and the date (~~(on which)~~)  
18 that the contribution was received; and

19 (3) (~~Notify~~) Mail or deliver to the commission and the candidate  
20 or political committee (~~(for whose benefit)~~) benefiting from the  
21 contribution (~~(is earmarked regarding the receipt of the contribution~~  
22 ~~by mailing or delivering to the commission and to the candidate or~~  
23 ~~committee)~~) a copy of the "Earmarked contributions" report within two  
24 working days of receipt of the contribution. (~~(Such notice shall be~~  
25 ~~given within two working days of receipt of the contribution.)~~)

26 (4) A candidate or political committee receiving (~~(notification~~  
27 ~~of)~~) an earmarked contribution under subsection (3) of this section  
28 shall report the contribution(~~(, once the contribution is received by~~  
29 ~~the candidate or committee,)~~) in the same manner as (~~(the receipt of)~~)  
30 any other contribution (~~(is disclosed in reports)~~), as required by RCW  
31 42.17.080 and 42.17.090 (as recodified by this act).

32 **PART 5**

33 **POLITICAL ADVERTISING AND ELECTIONEERING COMMUNICATIONS**

34 **Sec. 501.** RCW 42.17.510 and 2005 c 445 s 9 are each amended to  
35 read as follows:

1 (1) All written political advertising, whether relating to  
2 candidates or ballot propositions, shall include the sponsor's name and  
3 address. All radio and television political advertising, whether  
4 relating to candidates or ballot propositions, shall include the  
5 sponsor's name. The use of an assumed name for the sponsor of  
6 electioneering communications, independent expenditures, or political  
7 advertising (~~shall be~~) is unlawful. For partisan office, if a  
8 candidate has expressed a party or independent preference on the  
9 declaration of candidacy, that party or independent designation shall  
10 be clearly identified in electioneering communications, independent  
11 expenditures, or political advertising.

12 (2) In addition to the materials required by subsection (1) of this  
13 section, except as specifically addressed in subsections (4) and (5) of  
14 this section, all political advertising undertaken as an independent  
15 expenditure by a person or entity other than a party organization, and  
16 all electioneering communications, must include the following statement  
17 as part of the communication "NOTICE TO VOTERS (Required by law): This  
18 advertisement is not authorized or approved by any candidate. It is  
19 paid for by (name, address, city, state)." If the advertisement  
20 undertaken as an independent expenditure or electioneering  
21 communication is (~~undertaken~~) by a nonindividual other than a party  
22 organization, then the following notation must also be included: "Top  
23 Five Contributors," followed by a listing of the names of the five  
24 persons or entities making the largest contributions in excess of seven  
25 hundred dollars reportable under this chapter during the twelve-month  
26 period before the date of the advertisement or communication.

27 (3) The statements and listings of contributors required by  
28 subsections (1) and (2) of this section shall:

29 (a) Appear on the first page or fold of the written advertisement  
30 or communication in at least ten-point type, or in type at least ten  
31 percent of the largest size type used in a written advertisement or  
32 communication directed at more than one voter, such as a billboard or  
33 poster, whichever is larger;

34 (b) Not be subject to the half-tone or screening process; and

35 (c) Be set apart from any other printed matter.

36 (4) In an independent expenditure or electioneering communication  
37 transmitted via television or other medium that includes a visual  
38 image, the following statement must either be clearly spoken, or appear

1 in print and be visible for at least four seconds, appear in letters  
2 greater than four percent of the visual screen height, and have a  
3 reasonable color contrast with the background: "No candidate  
4 authorized this ad. Paid for by (name, city, state)." If the  
5 advertisement or communication is (~~undertaken~~) by a nonindividual  
6 other than a party organization, then the following notation must also  
7 be included: "Top Five Contributors" followed by a listing of the  
8 names of the five persons or entities making the largest contributions  
9 in excess of seven hundred dollars reportable under this chapter during  
10 the twelve-month period before the date of the advertisement.  
11 Abbreviations may be used to describe contributing entities if the full  
12 name of the entity has been clearly spoken previously during the  
13 broadcast advertisement.

14 (5) The following statement shall be clearly spoken in an  
15 independent expenditure or electioneering communication transmitted by  
16 a method that does not include a visual image: "No candidate  
17 authorized this ad. Paid for by (name, city, state)." If the  
18 independent expenditure or electioneering communication is undertaken  
19 by a nonindividual other than a party organization, then the following  
20 statement must also be included: "Top Five Contributors" followed by  
21 a listing of the names of the five persons or entities making the  
22 largest contributions in excess of seven hundred dollars reportable  
23 under this chapter during the twelve-month period before the date of  
24 the advertisement. Abbreviations may be used to describe contributing  
25 entities if the full name of the entity has been clearly spoken  
26 previously during the broadcast advertisement.

27 (6) Political yard signs are exempt from the requirement of  
28 subsections (1) and (2) of this section that the name and address of  
29 the sponsor of political advertising be listed on the advertising. In  
30 addition, the public disclosure commission shall, by rule, exempt from  
31 the identification requirements of subsections (1) and (2) of this  
32 section forms of political advertising such as campaign buttons,  
33 balloons, pens, pencils, sky-writing, inscriptions, and other forms of  
34 advertising where identification is impractical.

35 (7) For the purposes of this section, "yard sign" means any outdoor  
36 sign with dimensions no greater than eight feet by four feet.



1 ((such)) the information ((as)) that must be maintained and be open for  
2 public inspection pursuant to subsection (1) of this section.

3 **PART 6**

4 **CAMPAIGN CONTRIBUTION LIMITS AND OTHER RESTRICTIONS**

5 **Sec. 601.** RCW 42.17.610 and 1993 c 2 s 1 are each amended to read  
6 as follows:

7 (1) The people of the state of Washington find and declare that:

8 ~~((+1))~~ (a) The financial strength of certain individuals or  
9 organizations should not permit them to exercise a disproportionate or  
10 controlling influence on the election of candidates.

11 ~~((+2))~~ (b) Rapidly increasing political campaign costs have led  
12 many candidates to raise larger percentages of money from special  
13 interests with a specific financial stake in matters before state  
14 government. This has caused the public perception that decisions of  
15 elected officials are being improperly influenced by monetary  
16 contributions.

17 ~~((+3))~~ (c) Candidates are raising less money in small  
18 contributions from individuals and more money from special interests.  
19 This has created the public perception that individuals have an  
20 insignificant role to play in the political process.

21 (2) By limiting campaign contributions, the people intend to:

22 (a) Ensure that individuals and interest groups have fair and equal  
23 opportunity to influence elective and governmental processes;

24 (b) Reduce the influence of large organizational contributors; and

25 (c) Restore public trust in governmental institutions and the  
26 electoral process.

27 **Sec. 602.** RCW 42.17.640 and 2006 c 348 s 1 are each amended to  
28 read as follows:

29 (1) The contribution limits in this section apply to:

30 (a) Candidates for ~~((state))~~ legislative office;

31 (b) Candidates for state office other than ~~((state))~~ legislative  
32 office;

33 (c) Candidates for county office in a county that has over two  
34 hundred thousand registered voters;

1 (d) Candidates for special purpose district office if that district  
2 is authorized to provide freight and passenger transfer and terminal  
3 facilities and that district has over two hundred thousand registered  
4 voters;

5 (e) Persons holding an office in (a) through (d) of this subsection  
6 against whom recall charges have been filed or to a political committee  
7 having the expectation of making expenditures in support of the recall  
8 of a person holding the office;

9 (f) Caucus political committees;

10 (g) Bona fide political parties.

11 (2) No person, other than a bona fide political party or a caucus  
12 political committee, may make contributions to a candidate for a  
13 ((state)) legislative office or county office that in the aggregate  
14 exceed seven hundred dollars or to a candidate for a public office in  
15 a special purpose district or a state office other than a ((state))  
16 legislative office that in the aggregate exceed one thousand four  
17 hundred dollars for each election in which the candidate is on the  
18 ballot or appears as a write-in candidate. Contributions to candidates  
19 subject to the limits in this section made with respect to a primary  
20 may not be made after the date of the primary. However, contributions  
21 to a candidate or a candidate's authorized committee may be made with  
22 respect to a primary until thirty days after the primary, subject to  
23 the following limitations: (a) The candidate lost the primary; (b) the  
24 candidate's authorized committee has insufficient funds to pay debts  
25 outstanding as of the date of the primary; and (c) the contributions  
26 may only be raised and spent to satisfy the outstanding debt.  
27 Contributions to candidates subject to the limits in this section made  
28 with respect to a general election may not be made after the final day  
29 of the applicable election cycle.

30 (3) No person, other than a bona fide political party or a caucus  
31 political committee, may make contributions to a state official, a  
32 county official, or a public official in a special purpose district  
33 against whom recall charges have been filed, or to a political  
34 committee having the expectation of making expenditures in support of  
35 the recall of the state official, county official, or public official  
36 in a special purpose district during a recall campaign that in the  
37 aggregate exceed seven hundred dollars if for a ((state)) legislative

1 office or county office or one thousand four hundred dollars if for a  
2 special purpose district office or a state office other than a  
3 ((state)) legislative office.

4 (4)(a) Notwithstanding subsection (2) of this section, no bona fide  
5 political party or caucus political committee may make contributions to  
6 a candidate during an election cycle that in the aggregate exceed (i)  
7 seventy cents multiplied by the number of eligible registered voters in  
8 the jurisdiction from which the candidate is elected if the contributor  
9 is a caucus political committee or the governing body of a state  
10 organization, or (ii) thirty-five cents multiplied by the number of  
11 registered voters in the jurisdiction from which the candidate is  
12 elected if the contributor is a county central committee or a  
13 legislative district committee.

14 (b) No candidate may accept contributions from a county central  
15 committee or a legislative district committee during an election cycle  
16 that when combined with contributions from other county central  
17 committees or legislative district committees would in the aggregate  
18 exceed thirty-five cents times the number of registered voters in the  
19 jurisdiction from which the candidate is elected.

20 (5)(a) Notwithstanding subsection (3) of this section, no bona fide  
21 political party or caucus political committee may make contributions to  
22 a state official, county official, or a public official in a special  
23 purpose district against whom recall charges have been filed, or to a  
24 political committee having the expectation of making expenditures in  
25 support of the state official, county official, or a public official in  
26 a special purpose district during a recall campaign that in the  
27 aggregate exceed (i) seventy cents multiplied by the number of eligible  
28 registered voters in the jurisdiction entitled to recall the state  
29 official if the contributor is a caucus political committee or the  
30 governing body of a state organization, or (ii) thirty-five cents  
31 multiplied by the number of registered voters in the jurisdiction from  
32 which the candidate is elected if the contributor is a county central  
33 committee or a legislative district committee.

34 (b) No official holding an office specified in subsection (1) of  
35 this section against whom recall charges have been filed, no authorized  
36 committee of the official, and no political committee having the  
37 expectation of making expenditures in support of the recall of the  
38 official may accept contributions from a county central committee or a

1 legislative district committee during an election cycle that when  
2 combined with contributions from other county central committees or  
3 legislative district committees would in the aggregate exceed thirty-  
4 five cents multiplied by the number of registered voters in the  
5 jurisdiction from which the candidate is elected.

6 (6) For purposes of determining contribution limits under  
7 subsections (4) and (5) of this section, the number of eligible  
8 registered voters in a jurisdiction is the number at the time of the  
9 most recent general election in the jurisdiction.

10 (7) Notwithstanding subsections (2) through (5) of this section, no  
11 person other than an individual, bona fide political party, or caucus  
12 political committee may make contributions reportable under this  
13 chapter to a caucus political committee that in the aggregate exceed  
14 seven hundred dollars in a calendar year or to a bona fide political  
15 party that in the aggregate exceed three thousand five hundred dollars  
16 in a calendar year. This subsection does not apply to loans made in  
17 the ordinary course of business.

18 (8) For the purposes of RCW 42.17.640 through 42.17.790 (as  
19 recodified by this act), a contribution to the authorized political  
20 committee of a candidate or of an official specified in subsection (1)  
21 of this section against whom recall charges have been filed is  
22 considered to be a contribution to the candidate or official.

23 (9) A contribution received within the twelve-month period after a  
24 recall election concerning an office specified in subsection (1) of  
25 this section is considered to be a contribution during that recall  
26 campaign if the contribution is used to pay a debt or obligation  
27 incurred to influence the outcome of that recall campaign.

28 (10) The contributions allowed by subsection (3) of this section  
29 are in addition to those allowed by subsection (2) of this section, and  
30 the contributions allowed by subsection (5) of this section are in  
31 addition to those allowed by subsection (4) of this section.

32 (11) RCW 42.17.640 through 42.17.790 (as recodified by this act)  
33 apply to a special election conducted to fill a vacancy in an office  
34 specified in subsection (1) of this section. However, the  
35 contributions made to a candidate or received by a candidate for a  
36 primary or special election conducted to fill such a vacancy shall not  
37 be counted toward any of the limitations that apply to the candidate or

1 to contributions made to the candidate for any other primary or  
2 election.

3 (12) Notwithstanding the other subsections of this section, no  
4 corporation or business entity not doing business in Washington state,  
5 no labor union with fewer than ten members who reside in Washington  
6 state, and no political committee that has not received contributions  
7 of ten dollars or more from at least ten persons registered to vote in  
8 Washington state during the preceding one hundred eighty days may make  
9 contributions reportable under this chapter to a state office  
10 candidate, to a state official against whom recall charges have been  
11 filed, or to a political committee having the expectation of making  
12 expenditures in support of the recall of the official. This subsection  
13 does not apply to loans made in the ordinary course of business.

14 (13) Notwithstanding the other subsections of this section, no  
15 county central committee or legislative district committee may make  
16 contributions reportable under this chapter to a candidate specified in  
17 subsection (1) of this section, or an official specified in subsection  
18 (1) of this section against whom recall charges have been filed, or  
19 political committee having the expectation of making expenditures in  
20 support of the recall of an official specified in subsection (1) of  
21 this section if the county central committee or legislative district  
22 committee is outside of the jurisdiction entitled to elect the  
23 candidate or recall the official.

24 (14) No person may accept contributions that exceed the  
25 contribution limitations provided in this section.

26 (15) The following contributions are exempt from the contribution  
27 limits of this section:

28 (a) An expenditure or contribution earmarked for voter  
29 registration, for absentee ballot information, for precinct caucuses,  
30 for get-out-the-vote campaigns, for precinct judges or inspectors, for  
31 sample ballots, or for ballot counting, all without promotion of or  
32 political advertising for individual candidates; or

33 (b) An expenditure by a political committee for its own internal  
34 organization or fund raising without direct association with individual  
35 candidates.

36 NEW SECTION. **Sec. 603.** REPORTABLE CONTRIBUTIONS--PREELECTION  
37 LIMITATIONS. (1) It is a violation of this chapter for any person to

1 make, or for any candidate or political committee to accept from any  
2 one person, contributions reportable under RCW 42.17.090 (as recodified  
3 by this act) in the aggregate exceeding fifty thousand dollars for any  
4 campaign for statewide office or exceeding five thousand dollars for  
5 any other campaign subject to the provisions of this chapter within  
6 twenty-one days of a general election. This subsection does not apply  
7 to contributions made by, or accepted from, a bona fide political party  
8 as defined in this chapter, excluding the county central committee or  
9 legislative district committee.

10 (2) Contributions governed by this section include, but are not  
11 limited to, contributions made or received indirectly through a third  
12 party or entity whether the contributions are or are not reported to  
13 the commission as earmarked contributions under RCW 42.17.135 (as  
14 recodified by this act).

15 **Sec. 604.** RCW 42.17.070 and 1989 c 280 s 7 are each amended to  
16 read as follows:

17 No expenditures may be made or incurred by any candidate or  
18 political committee (~~((except on the authority of))~~) unless authorized by  
19 the treasurer or the candidate(~~((, and))~~). A record of all such  
20 expenditures shall be maintained by the treasurer.

21 No expenditure of more than fifty dollars may be made in currency  
22 unless a receipt, signed by the recipient and by the candidate or  
23 treasurer, is prepared and made a part of the campaign's or political  
24 committee's financial records.

25 **Sec. 605.** RCW 42.17.095 and 2005 c 467 s 1 are each amended to  
26 read as follows:

27 The surplus funds of a candidate(~~((,))~~) or (~~((of a political committee~~  
28 ~~supporting or opposing a candidate,))~~) a candidate's authorized  
29 committee may only be disposed of in any one or more of the following  
30 ways:

31 (1) Return the surplus to a contributor in an amount not to exceed  
32 that contributor's original contribution;

33 (2) (~~((Transfer the surplus to the candidate's personal account as~~  
34 ~~reimbursement))~~) Reimburse the candidate for lost earnings incurred as  
35 a result of that candidate's election campaign. (~~((Such))~~) Lost earnings  
36 shall be verifiable as unpaid salary or, when the candidate is not

1 salaried, as an amount not to exceed income received by the candidate  
2 for services rendered during an appropriate, corresponding time period.  
3 All lost earnings incurred shall be documented and a record thereof  
4 shall be maintained by the candidate or the candidate's (~~political~~)  
5 authorized committee. The committee shall (~~include~~) maintain a copy  
6 of (~~such~~) this record (~~when its expenditure for such reimbursement~~  
7 ~~is reported pursuant to RCW 42.17.090~~) in accordance with RCW  
8 42.17.080(6) (as recodified by this act);

9 (3) Transfer the surplus without limit to a political party or to  
10 a caucus political committee;

11 (4) Donate the surplus to a charitable organization registered in  
12 accordance with chapter 19.09 RCW;

13 (5) Transmit the surplus to the state treasurer for deposit in the  
14 general fund, the oral history, state library, and archives account  
15 under RCW 43.07.380, or the legislative international trade account  
16 under RCW (~~44.04.270~~) 43.15.050, as specified by the candidate or  
17 political committee; or

18 (6) Hold the surplus in the (~~campaign~~) depository or depositories  
19 designated in accordance with (~~RCW 42.17.050~~) section 404 of this act  
20 for possible use in a future election campaign for the same office last  
21 sought by the candidate and report any such disposition in accordance  
22 with RCW 42.17.090(~~:- PROVIDED, That~~) (as recodified by this act).  
23 If the candidate subsequently announces or publicly files for office,  
24 the appropriate information (~~as appropriate is~~) must be reported to  
25 the commission in accordance with RCW 42.17.040 through 42.17.090 (as  
26 recodified by this act). If a subsequent office is not sought the  
27 surplus held shall be disposed of in accordance with the requirements  
28 of this section.

29 (7) Hold the surplus campaign funds in a separate account for  
30 nonreimbursed public office-related expenses or as provided in this  
31 section, and report any such disposition in accordance with RCW  
32 42.17.090 (as recodified by this act). The separate account required  
33 under this subsection shall not be used for deposits of campaign funds  
34 that are not surplus.

35 (8) No candidate or authorized committee may transfer funds to any  
36 other candidate or other political committee.

37 The disposal of surplus funds under this section shall not be  
38 considered a contribution for purposes of this chapter.

1            NEW SECTION.    **Sec. 606.** CANDIDATES' POLITICAL COMMITTEES--  
2 LIMITATIONS. A candidate may not knowingly establish, use, direct, or  
3 control more than one political committee for the purpose of supporting  
4 that candidate during a particular election campaign. This does not  
5 prohibit: (1) In addition to a candidate's having his or her own  
6 political committee, the candidate's participation in a political  
7 committee established to support a slate of candidates that includes  
8 the candidate; or (2) joint fund-raising efforts by candidates when a  
9 separate political committee is established for that purpose and all  
10 contributions are disbursed to and accounted for on a pro rata basis by  
11 the benefiting candidates.

12            **Sec. 607.** RCW 42.17.125 and 1995 c 397 s 29 are each amended to  
13 read as follows:

14            Contributions received and reported in accordance with RCW  
15 42.17.060 through 42.17.090 (as recodified by this act) may only be  
16 ~~((transferred))~~ paid to ~~((the personal account of))~~ a candidate, or  
17 ~~((of))~~ a treasurer or other individual or expended for such  
18 individual's personal use under the following circumstances:

19            (1) Reimbursement for or ~~((loans))~~ payments to cover lost earnings  
20 incurred as a result of campaigning or services performed for the  
21 political committee. ~~((Such))~~ Lost earnings shall be verifiable as  
22 unpaid salary, or when the individual is not salaried, as an amount not  
23 to exceed income received by the individual for services rendered  
24 during an appropriate, corresponding time period. All lost earnings  
25 incurred shall be documented and a record ~~((thereof))~~ shall be  
26 maintained by the ~~((individual))~~ candidate or the ~~((individual's~~  
27 ~~political))~~ candidate's authorized committee in accordance with RCW  
28 42.17.080 (as recodified by this act). ~~((The political committee shall~~  
29 ~~include a copy of such record when its expenditure for such~~  
30 ~~reimbursement is reported pursuant to RCW 42.17.090.))~~

31            (2) Reimbursement for direct out-of-pocket election campaign and  
32 postelection campaign related expenses made by the individual. To  
33 receive reimbursement from the political committee, the individual  
34 shall provide the political committee with written documentation as to  
35 the amount, date, and description of each expense, and the political  
36 committee shall include a copy of such information when its expenditure

1 for such reimbursement is reported pursuant to RCW 42.17.090 (as  
2 recodified by this act).

3 (3) Repayment of loans made by the individual to political  
4 committees(~~(, which repayment)~~) shall be reported pursuant to RCW  
5 42.17.090 (as recodified by this act). However, contributions may not  
6 be used to reimburse a candidate for loans totaling more than (~~three~~)  
7 four thousand three hundred dollars made by the candidate to the  
8 candidate's own (~~political~~) authorized committee (~~or campaign~~).

9 **Sec. 608.** RCW 42.17.660 and 2005 c 445 s 12 are each amended to  
10 read as follows:

11 For purposes of this chapter:

12 (1) A contribution by a political committee with funds that have  
13 all been contributed by one person who exercises exclusive control over  
14 the distribution of the funds of the political committee is a  
15 contribution by the controlling person.

16 (2) Two or more entities are treated as a single entity if one of  
17 the two or more entities is a subsidiary, branch, or department of a  
18 corporation that is participating in an election campaign or making  
19 contributions, or a local unit or branch of a trade association, labor  
20 union, or collective bargaining association that is participating in an  
21 election campaign or making contributions. All contributions made by  
22 a person or political committee whose contribution or expenditure  
23 activity is financed, maintained, or controlled by a trade association,  
24 labor union, collective bargaining organization, or the local unit of  
25 a trade association, labor union, or collective bargaining organization  
26 are considered made by the trade association, labor union, collective  
27 bargaining organization, or local unit of a trade association, labor  
28 union, or collective bargaining organization.

29 (3) The commission shall adopt rules to carry out this section and  
30 is not subject to the time restrictions of RCW 42.17.370(1) (as  
31 recodified by this act).

32 **Sec. 609.** RCW 42.17.720 and 1995 c 397 s 22 are each amended to  
33 read as follows:

34 (1) A loan is considered to be a contribution from the lender and  
35 any guarantor of the loan and is subject to the contribution

1 limitations of this chapter. The full amount of the loan shall be  
2 attributed to the lender and to each guarantor.

3 (2) A loan to a candidate for public office or the candidate's  
4 (~~political~~) authorized committee must be by written agreement.

5 (3) The proceeds of a loan made to a candidate for public office:  
6 (a) By a commercial lending institution;  
7 (b) Made in the regular course of business; and  
8 (c) On the same terms ordinarily available to members of the  
9 public, are not subject to the contribution limits of this chapter.

10 **Sec. 610.** RCW 42.17.740 and 1995 c 397 s 23 are each amended to  
11 read as follows:

12 (1) A person may not make a contribution of more than (~~fifty~~)  
13 seventy dollars, other than an in-kind contribution, except by a  
14 written instrument containing the name of the donor and the name of the  
15 payee.

16 (2) A political committee may not make a contribution, other than  
17 in-kind, except by a written instrument containing the name of the  
18 donor and the name of the payee.

19 **Sec. 611.** RCW 42.17.790 and 1995 c 397 s 27 are each amended to  
20 read as follows:

21 (1) Except as provided in subsection (2) of this section, a  
22 candidate for public office or the candidate's (~~political~~) authorized  
23 committee may not use or permit the use of contributions, whether or  
24 not surplus, solicited for or received by the candidate (~~for public~~  
25 ~~office~~) or the candidate's (~~political~~) authorized committee to  
26 further the candidacy of the individual for an office other than the  
27 office designated on the statement of organization. A contribution  
28 solicited for or received on behalf of the candidate (~~for public~~  
29 ~~office~~) is considered solicited or received for the candidacy for  
30 which the individual is then a candidate if the contribution is  
31 solicited or received before the general election(~~s~~) for which the  
32 candidate (~~for public office~~) is a nominee or is unopposed.

33 (2) With the written approval of the contributor, a candidate (~~for~~  
34 ~~public office~~) or the candidate's (~~political~~) authorized committee  
35 may use or permit the use of contributions, whether or not surplus,  
36 solicited for or received by the candidate (~~for public office~~) or the

1 candidate's (~~political~~) authorized committee from that contributor to  
2 further the candidacy of the individual for an office other than the  
3 office designated on the statement of organization. If the contributor  
4 does not approve the use of his or her contribution to further the  
5 candidacy of the individual for an office other than the office  
6 designated on the statement of organization at the time of the  
7 contribution, the contribution must be considered surplus funds and  
8 disposed of in accordance with RCW 42.17.095 (as recodified by this  
9 act).

10 **Sec. 612.** RCW 42.17.680 and 2002 c 156 s 1 are each amended to  
11 read as follows:

12 (1) No employer or labor organization may increase the salary of an  
13 officer or employee, or (~~give an emolument to~~) compensate an officer,  
14 employee, or other person or entity, with the intention that the  
15 increase in salary, or the (~~emolument~~) compensation, or a part of it,  
16 be contributed or spent to support or oppose a candidate, state  
17 official against whom recall charges have been filed, political party,  
18 or political committee.

19 (2) No employer or labor organization may discriminate against an  
20 officer or employee in the terms or conditions of employment for (a)  
21 the failure to contribute to, (b) the failure in any way to support or  
22 oppose, or (c) in any way supporting or opposing a candidate, ballot  
23 proposition, political party, or political committee. At least  
24 annually, an employee from whom wages or salary are withheld under  
25 subsection (3) of this section shall be notified of the provisions of  
26 this subsection.

27 (3) No employer or other person or entity responsible for the  
28 disbursement of funds in payment of wages or salaries may withhold or  
29 divert a portion of an employee's wages or salaries for contributions  
30 to political committees or for use as political contributions except  
31 upon the written request of the employee. The request must be made on  
32 a form prescribed by the commission informing the employee of the  
33 prohibition against employer and labor organization discrimination  
34 described in subsection (2) of this section. The employee may revoke  
35 the request at any time. At least annually, the employee shall be  
36 notified about the right to revoke the request.

1 (4) Each person or entity who withholds contributions under  
2 subsection (3) of this section shall maintain open for public  
3 inspection for a period of no less than three years, during normal  
4 business hours, documents and books of accounts that shall include a  
5 copy of each employee's request, the amounts and dates funds were  
6 actually withheld, and the amounts and dates funds were transferred to  
7 a political committee. Copies of such information shall be delivered  
8 to the commission upon request.

9 **PART 7**

10 **PUBLIC OFFICIALS', EMPLOYEES', AND AGENCIES' CAMPAIGN**  
11 **RESTRICTIONS, PROHIBITIONS, AND REPORTING**

12 **Sec. 701.** RCW 42.17.130 and 2006 c 215 s 2 are each amended to  
13 read as follows:

14 No elective official nor any employee of his (~~or her~~) or her  
15 office nor any person appointed to or employed by any public office or  
16 agency may use or authorize the use of any of the facilities of a  
17 public office or agency, directly or indirectly, for the purpose of  
18 assisting a campaign for election of any person to any office or for  
19 the promotion of or opposition to any ballot proposition. Facilities  
20 of a public office or agency include, but are not limited to, use of  
21 stationery, postage, machines, and equipment, use of employees of the  
22 office or agency during working hours, vehicles, office space,  
23 publications of the office or agency, and clientele lists of persons  
24 served by the office or agency. However, this does not apply to the  
25 following activities:

26 (1) Action taken at an open public meeting by members of an elected  
27 legislative body or by an elected board, council, or commission of a  
28 special purpose district including, but not limited to, fire districts,  
29 public hospital districts, library districts, park districts, port  
30 districts, public utility districts, school districts, sewer districts,  
31 and water districts, to express a collective decision, or to actually  
32 vote upon a motion, proposal, resolution, order, or ordinance, or to  
33 support or oppose a ballot proposition so long as (a) any required  
34 notice of the meeting includes the title and number of the ballot  
35 proposition, and (b) members of the legislative body, members of the

1 board, council, or commission of the special purpose district, or  
2 members of the public are afforded an approximately equal opportunity  
3 for the expression of an opposing view;

4 (2) A statement by an elected official in support of or in  
5 opposition to any ballot proposition at an open press conference or in  
6 response to a specific inquiry;

7 (3) Activities which are part of the normal and regular conduct of  
8 the office or agency.

9 (4) This section does not apply to any person who is a state  
10 officer or state employee as defined in RCW 42.52.010.

11 **Sec. 702.** RCW 42.17.245 and 2005 c 274 s 282 are each amended to  
12 read as follows:

13 After January 1st and before April 15th of each calendar year, the  
14 state treasurer, each county, public utility district, and port  
15 district treasurer, and each treasurer of an incorporated city or town  
16 whose population exceeds one thousand shall file with the commission:

17 (1) A statement under oath that no public funds under that  
18 treasurer's control were invested in any institution where the  
19 treasurer or, in the case of a county, a member of the county finance  
20 committee, held during the reporting period an office, directorship,  
21 partnership interest, or ownership interest; or

22 (2) A report disclosing for the previous calendar year: (a) The  
23 name and address of each financial institution in which the treasurer  
24 or, in the case of a county, a member of the county finance committee,  
25 held during the reporting period an office, directorship, partnership  
26 interest, or ownership interest which holds or has held during the  
27 reporting period public accounts of the governmental entity for which  
28 the treasurer is responsible; (b) the aggregate sum of time and demand  
29 deposits held in each such financial institution on December 31; and  
30 (c) the highest balance held at any time during such reporting  
31 period(~~(:—PROVIDED, That)~~). The state treasurer shall disclose the  
32 highest balance information only upon a public records request under  
33 chapter 42.56 RCW. The statement or report required by this section  
34 shall be filed either with the statement required under RCW 42.17.240  
35 (as recodified by this act) or separately.

PART 8

LOBBYING DISCLOSURE AND RESTRICTIONS

Sec. 801. RCW 42.17.150 and 1987 c 201 s 1 are each amended to read as follows:

(1) Before (~~doing any~~) lobbying, or within thirty days after being employed as a lobbyist, whichever occurs first, a lobbyist shall register by filing with the commission a lobbyist registration statement, in such detail as the commission shall prescribe, (~~showing~~) that includes the following information:

(a) (~~His~~) The lobbyist's name, permanent business address, and any temporary residential and business addresses in Thurston county during the legislative session;

(b) The name, address and occupation or business of the lobbyist's employer;

(c) The duration of (~~his~~) the lobbyist's employment;

(d) (~~His~~) The compensation to be received for lobbying(~~or how much he is~~), the amount to be paid for expenses, and what expenses are to be reimbursed;

(e) Whether the (~~person from whom he receives said compensation employs him~~) lobbyist is employed solely as a lobbyist or whether (~~he~~) the lobbyist is a regular employee performing services for his or her employer which include but are not limited to the influencing of legislation;

(f) The general subject or subjects (~~of his legislative interest~~) to be lobbied;

(g) A written authorization from each of the lobbyist's employers confirming such employment;

(h) The name and address of the person who will have custody of the accounts, bills, receipts, books, papers, and documents required to be kept under this chapter;

(i) If the lobbyist's employer is an entity (including, but not limited to, business and trade associations) whose members include, or which as a representative entity undertakes lobbying activities for, businesses, groups, associations, or organizations, the name and address of each member of such entity or person represented by such entity whose fees, dues, payments, or other consideration paid to such entity during either of the prior two years have exceeded five hundred

1 dollars or who is obligated to or has agreed to pay fees, dues,  
2 payments, or other consideration exceeding five hundred dollars to such  
3 entity during the current year.

4 (2) Any lobbyist who receives or is to receive compensation from  
5 more than one person for (~~his services as a lobbyist~~) lobbying shall  
6 file a separate notice of representation (~~with respect to~~) for each  
7 (~~such~~) person(~~; except that where a lobbyist whose fee for acting as~~  
8 ~~such in respect to the same legislation or type of legislation is, or~~  
9 ~~is to be, paid or contributed to by more than one person then such~~  
10 ~~lobbyist may file a single statement, in which he shall detail the~~  
11 ~~name, business address and occupation of each person so paying or~~  
12 ~~contributing, and the amount of the respective payments or~~  
13 ~~contributions made by each such person~~). However, if two or more  
14 persons are jointly paying or contributing to the payment of the  
15 lobbyist, the lobbyist may file a single statement detailing the name,  
16 business address, and occupation of each person paying or contributing  
17 and the respective amounts to be paid or contributed.

18 (3) Whenever a change, modification, or termination of the  
19 lobbyist's employment occurs, the lobbyist shall(~~;~~) file with the  
20 commission an amended registration statement within one week of  
21 (~~such~~) the change, modification, or termination(~~;~~ ~~furnish full~~  
22 ~~information regarding the same by filing with the commission an amended~~  
23 ~~registration statement~~)).

24 (4) Each registered lobbyist (~~who has registered~~) shall file a  
25 new registration statement, revised as appropriate, on the second  
26 Monday in January of each odd-numbered year(~~;~~ ~~and~~). Failure to do so  
27 (~~shall~~) terminates (~~his~~) the lobbyist's registration.

28 **Sec. 802.** RCW 42.17.155 and 1995 c 397 s 6 are each amended to  
29 read as follows:

30 Each lobbyist shall at the time he or she registers submit to the  
31 commission a recent photograph of himself or herself of a size and  
32 format as determined by rule of the commission, together with the name  
33 of the lobbyist's employer, the length of his or her employment as a  
34 lobbyist before the legislature, a brief biographical description, and  
35 any other information he or she may wish to submit not to exceed fifty  
36 words in length. (~~Such~~) The photograph and information shall be

1 published by the commission at least biennially in a booklet form (~~by~~  
2 ~~the commission~~) for distribution to legislators and the public.

3 **Sec. 803.** RCW 42.17.160 and 1998 c 55 s 3 are each amended to read  
4 as follows:

5 The following persons and activities (~~shall be~~) are exempt from  
6 registration and reporting under RCW 42.17.150, 42.17.170, and  
7 42.17.200 (as recodified by this act):

8 (1) Persons who limit their lobbying activities to appearing before  
9 public sessions of committees of the legislature, or public hearings of  
10 state agencies;

11 (2) Activities by lobbyists or other persons whose participation  
12 has been solicited by an agency under RCW 34.05.310(2);

13 (3) News or feature reporting activities and editorial comment by  
14 working members of the press, radio, or television and the publication  
15 or dissemination thereof by a newspaper, book publisher, regularly  
16 published periodical, radio station, or television station;

17 (4) Persons who lobby without compensation or other consideration  
18 for acting as a lobbyist(~~PROVIDED, Such~~), if the person makes no  
19 expenditure for or on behalf of any member of the legislature or  
20 elected official or public officer or employee of the state of  
21 Washington in connection with such lobbying. The exemption contained  
22 in this subsection is intended to permit and encourage citizens of this  
23 state to lobby any legislator, public official, or state agency without  
24 incurring any registration or reporting obligation provided they do not  
25 exceed the limits stated above. Any person exempt under this  
26 subsection (4) may at his or her option register and report under this  
27 chapter;

28 (5) Persons who restrict their lobbying activities to no more than  
29 four days or parts (~~thereof~~) of four days during any three-month  
30 period and whose total expenditures during such three-month period for  
31 or on behalf of any one or more members of the legislature or state  
32 elected officials or public officers or employees of the state of  
33 Washington in connection with such lobbying do not exceed twenty-five  
34 dollars(~~PROVIDED, That~~). The commission shall (~~promulgate~~  
35 ~~regulations~~) adopt rules to require disclosure by persons exempt under  
36 this subsection or their employers or entities which sponsor or  
37 coordinate the lobbying activities of such persons if it determines

1 that such regulations are necessary to prevent frustration of the  
2 purposes of this chapter. Any person exempt under this subsection (5)  
3 may at his or her option register and report under this chapter;

4 (6) The governor;

5 (7) The lieutenant governor;

6 (8) Except as provided by RCW 42.17.190(1) (as recodified by this  
7 act), members of the legislature;

8 (9) Except as provided by RCW 42.17.190(1) (as recodified by this  
9 act), persons employed by the legislature for the purpose of aiding in  
10 the preparation or enactment of legislation or the performance of  
11 legislative duties;

12 (10) Elected officials, and officers and employees of any agency  
13 reporting under RCW 42.17.190(5) (as recodified by this act).

14 **Sec. 804.** RCW 42.17.170 and 1995 c 397 s 33 are each amended to  
15 read as follows:

16 (1) Any lobbyist registered under RCW 42.17.150 (as recodified by  
17 this act) and any person who lobbies shall file with the commission  
18 ((~~periodic~~)) monthly reports of his or her lobbying activities ((~~signed~~  
19 ~~by the lobbyist~~)). The reports shall be made in the form and manner  
20 prescribed by the commission and must be signed by the lobbyist.  
21 ((~~They shall be due monthly and~~)) The monthly report shall be filed  
22 within fifteen days after the last day of the calendar month covered by  
23 the report.

24 (2) ((~~Each such~~)) The monthly ((~~periodic~~)) report shall contain:

25 (a) The totals of all expenditures for lobbying activities made or  
26 incurred by ((~~such~~)) the lobbyist or on behalf of ((~~such~~)) the lobbyist  
27 by the lobbyist's employer during the period covered by the report.  
28 ((~~Such~~)) Expenditure totals for lobbying activities shall be segregated  
29 according to financial category, including compensation; food and  
30 refreshments; living accommodations; advertising; travel;  
31 contributions; and other expenses or services. Each individual  
32 expenditure of more than twenty-five dollars for entertainment shall be  
33 identified by date, place, amount, and the names of all persons ((~~in~~  
34 ~~the group partaking in or of such~~)) taking part in the entertainment,  
35 along with the dollar amount attributable to each person, including  
36 ((~~any portion thereof attributable to~~)) the lobbyist's ((~~participation~~

1 ~~therein, and shall include amounts actually expended on each person~~  
2 ~~where calculable, or allocating any portion of the expenditure to~~  
3 ~~individual participants.~~

4 ~~Notwithstanding the foregoing, lobbyists are not required to report~~  
5 ~~the following:~~

6 ~~(i) Unreimbursed personal living and travel expenses not incurred~~  
7 ~~directly for lobbying;~~

8 ~~(ii) Any expenses incurred for his or her own living~~  
9 ~~accommodations;~~

10 ~~(iii) Any expenses incurred for his or her own travel to and from~~  
11 ~~hearings of the legislature;~~

12 ~~(iv) Any expenses incurred for telephone, and any office expenses,~~  
13 ~~including rent and salaries and wages paid for staff and secretarial~~  
14 ~~assistance)) portion.~~

15 (b) In the case of a lobbyist employed by more than one employer,  
16 the proportionate amount of ((~~such~~)) expenditures in each category  
17 incurred on behalf of each of ((~~his~~)) the lobbyist's employers.

18 (c) An itemized listing of each ((~~such expenditure~~)) contribution  
19 of money or of tangible or intangible personal property, whether  
20 contributed by the lobbyist personally or delivered or transmitted by  
21 the lobbyist, ((~~in the nature of a contribution of money or of tangible~~  
22 ~~or intangible personal property~~)) to any candidate, elected official,  
23 or officer or employee of any agency, or any political committee  
24 supporting or opposing any ballot proposition, or for or on behalf of  
25 any candidate, elected official, or officer or employee of any agency,  
26 or any political committee supporting or opposing any ballot  
27 proposition. All contributions made to, or for the benefit of, any  
28 candidate, elected official, or officer or employee of any agency, or  
29 any political committee supporting or opposing any ballot proposition  
30 shall be identified by date, amount, and the name of the candidate,  
31 elected official, or officer or employee of any agency, or any  
32 political committee supporting or opposing any ballot proposition  
33 receiving, or to be benefited by each such contribution.

34 (d) The subject matter of proposed legislation or other legislative  
35 activity or rule((-)) making under chapter 34.05 RCW, the state  
36 administrative procedure act, and the state agency considering the  
37 same, which the lobbyist has been engaged in supporting or opposing

1 during the reporting period, unless exempt under RCW 42.17.160(2) (as  
2 recodified by this act).

3 ~~(e) ((Such other information relevant to lobbying activities as the~~  
4 ~~commission shall by rule prescribe. Information supporting such~~  
5 ~~activities as are required to be reported is subject to audit by the~~  
6 ~~commission.~~

7 ~~(f))~~ A listing of each payment for an item specified in RCW  
8 42.52.150(5) in excess of fifty dollars and each item specified in RCW  
9 42.52.010(~~(+9))~~ (10) (d) and (f) made to a state elected official,  
10 state officer, or state employee. Each item shall be identified by  
11 recipient, date, and approximate value of the item.

12 ~~((+g))~~ (f) The total expenditures ~~((made))~~ paid or incurred during  
13 the reporting period by the lobbyist for lobbying purposes, whether  
14 through or on behalf of a lobbyist or otherwise~~((. As used in this~~  
15 ~~subsection, "expenditures" includes amounts paid or incurred during the~~  
16 ~~reporting period))~~, for (i) political advertising as defined in RCW  
17 42.17.020 (as recodified by this act); and (ii) public relations,  
18 telemarketing, polling, or similar activities if ~~((such))~~ the  
19 activities, directly or indirectly, are intended, designed, or  
20 calculated to influence legislation or the adoption or rejection of a  
21 rule, standard, or rate by an agency under the administrative procedure  
22 act. The report shall specify the amount, the person to whom the  
23 amount was paid, and a brief description of the activity.

24 (3) ~~((If a state elected official or a member of such an official's~~  
25 ~~immediate family is identified by a lobbyist in such a report as having~~  
26 ~~received from the lobbyist an item specified in RCW 42.52.150(5) or~~  
27 ~~42.52.010(9) (d) or (f), the lobbyist shall transmit to the official a~~  
28 ~~copy of the completed form used to identify the item in the report at~~  
29 ~~the same time the report is filed with the commission))~~ Lobbyists are  
30 not required to report the following:

31 (a) Unreimbursed personal living and travel expenses not incurred  
32 directly for lobbying;

33 (b) Any expenses incurred for his or her own living accommodations;

34 (c) Any expenses incurred for his or her own travel to and from  
35 hearings of the legislature;

36 (d) Any expenses incurred for telephone, and any office expenses,  
37 including rent and salaries and wages paid for staff and secretarial  
38 assistance.

1 (4) The commission may (~~adopt rules to vary the content of~~  
2 ~~lobbyist reports~~), by rule, require additional information in lobbyist  
3 reports, to address specific circumstances, consistent with this  
4 section. Lobbyist reports are subject to audit by the commission.

5 **Sec. 805.** RCW 42.17.172 and 1993 c 2 s 32 are each amended to read  
6 as follows:

7 (1) When a listing or a report of contributions is made to the  
8 commission under RCW 42.17.170(2)(c) (as recodified by this act), a  
9 copy of the listing or report must be given to the candidate, elected  
10 official, professional staff member of the legislature, or officer or  
11 employee of an agency, or a political committee supporting or opposing  
12 a ballot proposition named in the listing or report.

13 (2) If a state elected official or a member of the official's  
14 immediate family is identified by a lobbyist in a lobbyist report as  
15 having received from the lobbyist an item specified in RCW 42.52.150(5)  
16 or 42.52.010(10) (d) or (f), the lobbyist shall transmit to the  
17 official a copy of the completed form used to identify the item in the  
18 report at the same time the report is filed with the commission.

19 **Sec. 806.** RCW 42.17.175 and 2001 c 54 s 3 are each amended to read  
20 as follows:

21 Any lobbyist registered under RCW 42.17.150 (as recodified by this  
22 act), any person who lobbies, and any lobbyist's employer making a  
23 contribution or an aggregate of contributions to a single entity that  
24 is one thousand dollars or more during a special reporting period, as  
25 specified in RCW 42.17.105 (as recodified by this act), before a  
26 primary or general election(~~, as such period is specified in RCW~~  
27 ~~42.17.105(1),~~) shall file one or more special reports (~~(for the~~  
28 ~~contribution or aggregate of contributions and for subsequent~~  
29 ~~contributions made during that period under the same circumstances)) in~~  
30 the same manner and to the same extent that a contributing political  
31 committee must file (~~(such a report or reports))~~ under RCW 42.17.105  
32 (as recodified by this act). (~~(Such a special report shall be filed in~~  
33 ~~the same manner provided under RCW 42.17.105 for a special report of a~~  
34 ~~contributing political committee.)~~)

1       **Sec. 807.** RCW 42.17.180 and 1993 c 2 s 27 are each amended to read  
2 as follows:

3       (1) Every employer of a lobbyist registered under this chapter  
4 during the preceding calendar year and every person other than an  
5 individual that made contributions aggregating to more than (~~ten~~)  
6 fourteen thousand five hundred dollars or independent expenditures  
7 aggregating to more than (~~five~~) seven hundred dollars during the  
8 preceding calendar year shall file with the commission on or before the  
9 last day of February of each year a statement disclosing for the  
10 preceding calendar year the following information:

11       (a) The name of each state elected official and the name of each  
12 candidate for state office who was elected to the office and any member  
13 of the immediate family of those persons to whom the person reporting  
14 has paid any compensation in the amount of (~~five~~) seven hundred  
15 dollars or more during the preceding calendar year for personal  
16 employment or professional services, including professional services  
17 rendered by a corporation, partnership, joint venture, association,  
18 union, or other entity in which the person holds any office,  
19 directorship, or any general partnership interest, or an ownership  
20 interest of ten percent or more, the value of the compensation in  
21 accordance with the reporting provisions set out in RCW 42.17.241(2)  
22 (as recodified by this act), and the consideration given or performed  
23 in exchange for the compensation.

24       (b) The name of each state elected official, successful candidate  
25 for state office, or members of his or her immediate family to whom the  
26 person reporting made expenditures, directly or indirectly, either  
27 through a lobbyist or otherwise, the amount of the expenditures and the  
28 purpose for the expenditures. For the purposes of this subsection,  
29 (~~the term~~) "expenditure" shall not include any expenditure made by  
30 the employer in the ordinary course of business if the expenditure is  
31 not made for the purpose of influencing, honoring, or benefiting the  
32 elected official, successful candidate, or member of his immediate  
33 family, as an elected official or candidate.

34       (c) The total expenditures made by the person reporting for  
35 lobbying purposes, whether through or on behalf of a registered  
36 lobbyist or otherwise.

37       (d) All contributions made to a political committee supporting or  
38 opposing a candidate for state office, or to a political committee

1 supporting or opposing a statewide ballot proposition. Such  
2 contributions shall be identified by the name and the address of the  
3 recipient and the aggregate amount contributed to each such recipient.

4 (e) The name and address of each registered lobbyist employed by  
5 the person reporting and the total expenditures made by (~~such~~) the  
6 person reporting for each (~~such~~) lobbyist for lobbying purposes.

7 (f) The names, offices sought, and party affiliations of candidates  
8 for state offices supported or opposed by independent expenditures of  
9 the person reporting and the amount of each such expenditure.

10 (g) The identifying proposition number and a brief description of  
11 any statewide ballot proposition supported or opposed by expenditures  
12 not reported under (d) of this subsection and the amount of each such  
13 expenditure.

14 (h) (~~Such~~) Any other information (~~as~~) the commission prescribes  
15 by rule.

16 (2)(a) Except as provided in (b) of this subsection, an employer of  
17 a lobbyist registered under this chapter shall file a special report  
18 with the commission if the employer makes a contribution or  
19 contributions aggregating more than one hundred dollars in a calendar  
20 month to any one of the following: A candidate, elected official,  
21 officer or employee of an agency, or political committee. The report  
22 shall identify the date and amount of each such contribution and the  
23 name of the candidate, elected official, agency officer or employee, or  
24 political committee receiving the contribution or to be benefited by  
25 the contribution. The report shall be filed on a form prescribed by  
26 the commission and shall be filed within fifteen days after the last  
27 day of the calendar month during which the contribution was made.

28 (b) The provisions of (a) of this subsection do not apply to a  
29 contribution (~~which~~) that is made through a registered lobbyist and  
30 reportable under RCW 42.17.170 (as recodified by this act).

31 **Sec. 808.** RCW 42.17.190 and 1995 c 397 s 7 are each amended to  
32 read as follows:

33 (1) The house of representatives and the senate shall report  
34 annually: The total budget; the portion of the total attributed to  
35 staff; and the number of full-time and part-time staff positions by  
36 assignment, with dollar figures as well as number of positions.

1 (2) Unless authorized by subsection (3) of this section or  
2 otherwise expressly authorized by law, no public funds may be used  
3 directly or indirectly for lobbying(~~(+PROVIDED)~~). However, this does  
4 not prevent officers or employees of an agency from communicating with  
5 a member of the legislature on the request of that member; or  
6 communicating to the legislature, through the proper official channels,  
7 requests for legislative action or appropriations (~~(which)~~) that are  
8 deemed necessary for the efficient conduct of the public business or  
9 actually made in the proper performance of their official duties(~~(+PROVIDED FURTHER, That)~~). This subsection does not apply to the  
10 legislative branch.  
11

12 (3) Any agency, not otherwise expressly authorized by law, may  
13 expend public funds for lobbying, but such lobbying activity shall be  
14 limited to (a) providing information or communicating on matters  
15 pertaining to official agency business to any elected official or  
16 officer or employee of any agency or (b) advocating the official  
17 position or interests of the agency to any elected official or officer  
18 or employee of any agency(~~(+PROVIDED, That)~~). Public funds may not  
19 be expended as a direct or indirect gift or campaign contribution to  
20 any elected official or officer or employee of any agency. For the  
21 purposes of this subsection, (~~(the term)~~) "gift" means a voluntary  
22 transfer of any thing of value without consideration of equal or  
23 greater value, but does not include informational material transferred  
24 for the sole purpose of informing the recipient about matters  
25 pertaining to official agency business. This section does not permit  
26 the printing of a state publication (~~(which)~~) that has been otherwise  
27 prohibited by law.

28 (4) No elective official or any employee of his or her office or  
29 any person appointed to or employed by any public office or agency may  
30 use or authorize the use of any of the facilities of a public office or  
31 agency, directly or indirectly, in any effort to support or oppose an  
32 initiative to the legislature. "Facilities of a public office or  
33 agency" has the same meaning as in RCW 42.17.130 (as recodified by this  
34 act) and 42.52.180. The provisions of this subsection shall not apply  
35 to the following activities:

36 (a) Action taken at an open public meeting by members of an elected  
37 legislative body to express a collective decision, or to actually vote  
38 upon a motion, proposal, resolution, order, or ordinance, or to support

1 or oppose an initiative to the legislature so long as (i) any required  
2 notice of the meeting includes the title and number of the initiative  
3 to the legislature, and (ii) members of the legislative body or members  
4 of the public are afforded an approximately equal opportunity for the  
5 expression of an opposing view;

6 (b) A statement by an elected official in support of or in  
7 opposition to any initiative to the legislature at an open press  
8 conference or in response to a specific inquiry;

9 (c) Activities (~~(which)~~) that are part of the normal and regular  
10 conduct of the office or agency;

11 (d) Activities conducted regarding an initiative to the legislature  
12 that would be permitted under RCW 42.17.130 (as recodified by this act)  
13 and 42.52.180 if conducted regarding other ballot measures.

14 (5) Each state agency, county, city, town, municipal corporation,  
15 quasi-municipal corporation, or special purpose district (~~(which)~~) that  
16 expends public funds for lobbying shall file with the commission,  
17 except as exempted by (d) of this subsection, quarterly statements  
18 providing the following information for the quarter just completed:

19 (a) The name of the agency filing the statement;

20 (b) The name, title, and job description and salary of each elected  
21 official, officer, or employee who lobbied, a general description of  
22 the nature of the lobbying, and the proportionate amount of time spent  
23 on the lobbying;

24 (c) A listing of expenditures incurred by the agency for lobbying  
25 including but not limited to travel, consultant or other special  
26 contractual services, and brochures and other publications, the  
27 principal purpose of which is to influence legislation;

28 (d) For purposes of this subsection (~~(the term)~~), "lobbying" does  
29 not include:

30 (i) Requests for appropriations by a state agency to the office of  
31 financial management pursuant to chapter 43.88 RCW nor requests by the  
32 office of financial management to the legislature for appropriations  
33 other than its own agency budget requests;

34 (ii) Recommendations or reports to the legislature in response to  
35 a legislative request expressly requesting or directing a specific  
36 study, recommendation, or report by an agency on a particular subject;

37 (iii) Official reports including recommendations submitted to the

1 legislature on an annual or biennial basis by a state agency as  
2 required by law;

3 (iv) Requests, recommendations, or other communication between or  
4 within state agencies or between or within local agencies;

5 (v) Any other lobbying to the extent that it includes:

6 (A) Telephone conversations or preparation of written  
7 correspondence;

8 (B) In-person lobbying on behalf of an agency of no more than four  
9 days or parts thereof during any three-month period by officers or  
10 employees of that agency and in-person lobbying by any elected official  
11 of such agency on behalf of such agency or in connection with the  
12 powers, duties, or compensation of such official(~~(+PROVIDED, That)~~).  
13 The total expenditures of nonpublic funds made in connection with such  
14 lobbying for or on behalf of any one or more members of the legislature  
15 or state elected officials or public officers or employees of the state  
16 of Washington ((~~de~~)) may not exceed fifteen dollars for any three-month  
17 period((+PROVIDED FURTHER, That)). The exemption under this  
18 subsection (5)(d)(v)(B) is in addition to the exemption provided in  
19 (d)(v)(A) of this subsection;

20 (C) Preparation or adoption of policy positions.

21 The statements shall be in the form and the manner prescribed by  
22 the commission and shall be filed within one month after the end of the  
23 quarter covered by the report.

24 (6) In lieu of reporting under subsection (5) of this section, any  
25 county, city, town, municipal corporation, quasi municipal corporation,  
26 or special purpose district may determine and so notify the public  
27 disclosure commission((~~7~~)) that elected officials, officers, or  
28 employees who, on behalf of any such local agency, engage in lobbying  
29 reportable under subsection (5) of this section shall register and  
30 report such reportable lobbying in the same manner as a lobbyist who is  
31 required to register and report under RCW 42.17.150 and 42.17.170 (as  
32 recodified by this act). Each such local agency shall report as a  
33 lobbyist employer pursuant to RCW 42.17.180 (as recodified by this  
34 act).

35 (7) The provisions of this section do not relieve any elected  
36 official or officer or employee of an agency from complying with other  
37 provisions of this chapter, if such elected official, officer, or  
38 employee is not otherwise exempted.

1 (8) The purpose of this section is to require each state agency and  
2 certain local agencies to report the identities of those persons who  
3 lobby on behalf of the agency for compensation, together with certain  
4 separately identifiable and measurable expenditures of an agency's  
5 funds for that purpose. This section shall be reasonably construed to  
6 accomplish that purpose and not to require any agency to report any of  
7 its general overhead cost or any other costs (~~(which)~~) that relate only  
8 indirectly or incidentally to lobbying or (~~(which)~~) that are equally  
9 attributable to or inseparable from nonlobbying activities of the  
10 agency.

11 The public disclosure commission may adopt rules clarifying and  
12 implementing this legislative interpretation and policy.

13 **Sec. 809.** RCW 42.17.200 and 1990 c 139 s 5 are each amended to  
14 read as follows:

15 (1) Any person who has made expenditures, not reported by a  
16 registered lobbyist under RCW 42.17.170 (as recodified by this act) or  
17 by a candidate or political committee under RCW 42.17.065 or 42.17.080  
18 (as recodified by this act), exceeding (~~(five hundred)~~) one thousand  
19 dollars in the aggregate within any three-month period or exceeding  
20 (~~(two)~~) five hundred dollars in the aggregate within any one-month  
21 period in presenting a program (~~(addressed)~~) to the public, a  
22 substantial portion of which is intended, designed, or calculated  
23 primarily to influence legislation shall (~~(be required to)~~) register  
24 and report, as provided in subsection (2) of this section, as a sponsor  
25 of a grass roots lobbying campaign.

26 (2) Within thirty days after becoming a sponsor of a grass roots  
27 lobbying campaign, the sponsor shall register by filing with the  
28 commission a registration statement, in such detail as the commission  
29 shall prescribe, showing:

30 (a) The sponsor's name, address, and business or occupation, and,  
31 if the sponsor is not an individual, the names, addresses, and titles  
32 of the controlling persons responsible for managing the sponsor's  
33 affairs;

34 (b) The names, addresses, and business or occupation of all persons  
35 organizing and managing the campaign, or hired to assist the campaign,  
36 including any public relations or advertising firms participating in  
37 the campaign, and the terms of compensation for all such persons;

1 (c) The names and addresses of each person contributing twenty-five  
2 dollars or more to the campaign, and the aggregate amount contributed;

3 (d) The purpose of the campaign, including the specific  
4 legislation, rules, rates, standards, or proposals that are the subject  
5 matter of the campaign;

6 (e) The totals of all expenditures made or incurred to date on  
7 behalf of the campaign(~~(, which totals shall be)~~) segregated according  
8 to financial category, including but not limited to the following:  
9 Advertising, segregated by media, and in the case of large expenditures  
10 (as provided by rule of the commission), by outlet; contributions;  
11 entertainment, including food and refreshments; office expenses  
12 including rent and the salaries and wages paid for staff and  
13 secretarial assistance, or the proportionate amount (~~(thereof)~~) paid or  
14 incurred for lobbying campaign activities; consultants; and printing  
15 and mailing expenses.

16 (3) Every sponsor who has registered under this section shall file  
17 monthly reports with the commission(~~(, which reports shall be filed)~~)  
18 by the tenth day of the month for the activity during the preceding  
19 month. The reports shall update the information contained in the  
20 sponsor's registration statement and in prior reports and shall show  
21 contributions received and totals of expenditures made during the  
22 month, in the same manner as provided for in the registration  
23 statement.

24 (4) When the campaign has been terminated, the sponsor shall file  
25 a notice of termination with the final monthly report(~~(, which~~  
26 ~~notice)~~). The final report shall state the totals of all contributions  
27 and expenditures made on behalf of the campaign, in the same manner as  
28 provided for in the registration statement.

29 **Sec. 810.** RCW 42.17.210 and 1973 c 1 s 21 are each amended to read  
30 as follows:

31 If any person registered or required to be registered as a lobbyist  
32 (~~(under this chapter employs,)~~) or ((if)) any employer of any person  
33 registered or required to be registered as a lobbyist (~~(under this~~  
34 ~~chapter)~~), employs ((any)) a member or an employee of the legislature,  
35 ((~~or any~~)) a member of ((any)) a state board or commission, ((~~or any~~  
36 ~~employee of the legislature,~~)) or ((any)) a full-time state employee,  
37 ((~~if such~~)) and that new employee ((~~shall~~)) remains in the partial

1 employ of the state (~~or any agency thereof, then~~), the new employer  
2 (~~shall~~) must file within fifteen days after employment a statement  
3 (~~under oath~~) with the commission, signed under oath, setting out the  
4 nature of the employment, the name of the person (~~to be paid~~  
5 ~~thereunder~~) employed, and the amount of pay or consideration (~~to be~~  
6 ~~paid thereunder~~. ~~The statement shall be filed within fifteen days~~  
7 ~~after the commencement of such employment~~)).

8 **Sec. 811.** RCW 42.17.220 and 1973 c 1 s 22 are each amended to read  
9 as follows:

10 It (~~shall be~~) is a violation of this chapter for any person to  
11 employ for pay or any consideration, or pay or agree to pay any  
12 consideration to, a person to lobby who is not registered under this  
13 chapter except upon the condition that such a person must register as  
14 a lobbyist as provided by this chapter(~~, and such person does in fact~~  
15 ~~so register as soon as practicable~~)).

16 **Sec. 812.** RCW 42.17.230 and 1987 c 201 s 2 are each amended to  
17 read as follows:

18 (1) A person required to register as a lobbyist under (~~this~~  
19 ~~chapter shall also have the following obligations, the violation of~~  
20 ~~which shall constitute cause for revocation of his registration, and~~  
21 ~~may subject such person, and such person's employer, if such employer~~  
22 ~~aids, abets, ratifies, or confirms any such act, to other civil~~  
23 ~~liabilities, as provided by this chapter~~:

24 ~~(1) Such persons shall obtain and preserve all~~) RCW 42.17.150 (as  
25 recodified by this act) shall substantiate financial reports required  
26 to be made under this chapter with accounts, bills, receipts, books,  
27 papers, and other necessary documents (~~necessary to substantiate the~~  
28 ~~financial reports required to be made under this chapter~~). All such  
29 documents must be obtained and preserved for a period of at least five  
30 years from the date of (~~the~~) filing (~~of~~) the statement containing  
31 such items(~~, which accounts, bills, receipts, books, papers, and~~  
32 ~~documents~~) and shall be made available for inspection by the  
33 commission at any time(~~PROVIDED, That if a lobbyist is required~~  
34 ~~under~~). If the terms of (~~his~~) the lobbyist's employment contract  
35 (~~to turn any~~) require that these records be turned over to his or her

1 employer, responsibility for the preservation and inspection of  
2 ~~((such))~~ these records under this subsection shall ~~((rest))~~ be with  
3 such employer.

4 (2) ~~((In addition,))~~ A person required to register as a lobbyist  
5 under RCW 42.17.150 (as recodified by this act) shall not:

6 (a) Engage in any lobbying activity ~~((as a lobbyist))~~ before  
7 registering as ~~((such))~~ a lobbyist;

8 (b) Knowingly deceive or attempt to deceive ~~((any))~~ a legislator  
9 ~~((as to any fact))~~ regarding the facts pertaining to any pending or  
10 proposed legislation;

11 (c) Cause or influence the introduction of ~~((any))~~ a bill or  
12 amendment ~~((thereto))~~ to that bill for the purpose of ~~((thereafter))~~  
13 later being employed to secure its defeat;

14 (d) Knowingly represent an interest adverse to ~~((any of))~~ his or  
15 her employer~~((s))~~ without ~~((first))~~ full disclosure of the adverse  
16 interest to the employer and obtaining ~~((such))~~ the employer's written  
17 consent ~~((thereto after full disclosure to such employer of such~~  
18 ~~adverse interest))~~;

19 (e) Exercise any undue influence, extortion, or unlawful  
20 retaliation upon any legislator ~~((by reason of such))~~ due to the  
21 legislator's position ~~((with respect to, or his vote upon,))~~ or vote on  
22 any pending or proposed legislation;

23 (f) Enter into any agreement, arrangement, or understanding  
24 ~~((according to which his or her))~~ in which any portion of his or her  
25 compensation~~((, or any portion thereof,))~~ is or will be contingent upon  
26 ~~((the))~~ his or her success ~~((of any attempt to influence))~~ in  
27 influencing legislation.

28 (3) A violation by a lobbyist of this section shall be cause for  
29 revocation of his or her registration, and may subject the lobbyist and  
30 the lobbyist's employer, if the employer aids, abets, ratifies, or  
31 confirms the violation, to other civil liabilities as provided by this  
32 chapter.

33 **PART 9**

34 **PERSONAL FINANCIAL AFFAIRS REPORTING**

35 **BY CANDIDATES AND PUBLIC OFFICIALS**

1       **Sec. 901.** RCW 42.17.240 and 1995 c 397 s 8 are each amended to  
2 read as follows:

3       (1) After January 1st and before April 15th of each year, every  
4 elected official and every executive state officer shall ~~((after~~  
5 ~~January 1st and before April 15th of each year))~~ file with the  
6 commission a statement of financial affairs for the preceding calendar  
7 year. However, any local elected official whose term of office  
8 ~~((expires immediately after))~~ ends on December 31st shall file the  
9 statement required to be filed by this section for the final year  
10 ~~((that ended on that December 31st))~~ of his or her term.

11       (2) Within two weeks of becoming a candidate, every candidate shall  
12 ~~((within two weeks of becoming a candidate))~~ file with the commission  
13 a statement of financial affairs for the preceding twelve months,  
14 unless the person has already filed a statement for the preceding  
15 calendar year pursuant to subsection (1) of this section.

16       (3) Within two weeks of appointment, every person appointed to a  
17 vacancy in an elective office or executive state officer position shall  
18 ~~((within two weeks of being so appointed))~~ file with the commission a  
19 statement of financial affairs for the preceding twelve months, unless  
20 the person has already filed a statement for the preceding calendar  
21 year pursuant to subsection (1) of this section.

22       (4) A statement of a candidate or appointee filed during the period  
23 from January 1st to April 15th shall cover the period from January 1st  
24 of the preceding calendar year to the time of candidacy or appointment  
25 if the filing of the statement would relieve the individual of a prior  
26 obligation to file a statement covering the entire preceding calendar  
27 year.

28       (5) No individual may be required to file more than once in any  
29 calendar year.

30       (6) Each statement of financial affairs filed under this section  
31 shall be sworn as to its truth and accuracy.

32       (7) Every elected official and every executive state officer shall  
33 file with their statement of financial affairs a statement certifying  
34 that they have read and are familiar with RCW 42.17.130 (as recodified  
35 by this act) or 42.52.180, whichever is applicable.

36       (8) For the purposes of this section, the term "executive state  
37 officer" includes those listed in RCW 42.17.2401.

1 (9) This section does not apply to incumbents or candidates for a  
2 federal office or the office of precinct committee officer.

3 **Sec. 902.** RCW 42.17.2401 and 2006 c 265 s 113 are each amended to  
4 read as follows:

5 For the purposes of RCW 42.17.240 (as recodified by this act),  
6 (~~the term~~) "executive state officer" includes:

7 (1) The chief administrative law judge, the director of  
8 agriculture, the administrator of the Washington basic health plan, the  
9 director of the department of services for the blind, the director of  
10 the state system of community and technical colleges, the director of  
11 community, trade, and economic development, the secretary of  
12 corrections, the director of early learning, the director of ecology,  
13 the commissioner of employment security, the chair of the energy  
14 facility site evaluation council, the secretary of the state finance  
15 committee, the director of financial management, the director of fish  
16 and wildlife, the executive secretary of the forest practices appeals  
17 board, the director of the gambling commission, the director of general  
18 administration, the secretary of health, the administrator of the  
19 Washington state health care authority, the executive secretary of the  
20 health care facilities authority, the executive secretary of the higher  
21 education facilities authority, the executive secretary of the horse  
22 racing commission, the executive secretary of the human rights  
23 commission, the executive secretary of the indeterminate sentence  
24 review board, the director of the department of information services,  
25 the director of the interagency committee for outdoor recreation, the  
26 executive director of the state investment board, the director of labor  
27 and industries, the director of licensing, the director of the lottery  
28 commission, the director of the office of minority and women's business  
29 enterprises, the director of parks and recreation, the director of  
30 personnel, the executive director of the public disclosure commission,  
31 the director of retirement systems, the director of revenue, the  
32 secretary of social and health services, the chief of the Washington  
33 state patrol, the executive secretary of the board of tax appeals, the  
34 secretary of transportation, the secretary of the utilities and  
35 transportation commission, the director of veterans affairs, the  
36 president of each of the regional and state universities and the

1 president of The Evergreen State College, each district and each campus  
2 president of each state community college;

3 (2) Each professional staff member of the office of the governor;

4 (3) Each professional staff member of the legislature; and

5 (4) Central Washington University board of trustees, board of  
6 trustees of each community college, each member of the state board for  
7 community and technical colleges, state convention and trade center  
8 board of directors, committee for deferred compensation, Eastern  
9 Washington University board of trustees, Washington economic  
10 development finance authority, The Evergreen State College board of  
11 trustees, executive ethics board, forest practices appeals board,  
12 forest practices board, gambling commission, life sciences discovery  
13 fund authority board of trustees, Washington health care facilities  
14 authority, each member of the Washington health services commission,  
15 higher education coordinating board, higher education facilities  
16 authority, horse racing commission, state housing finance commission,  
17 human rights commission, indeterminate sentence review board, board of  
18 industrial insurance appeals, information services board, interagency  
19 committee for outdoor recreation, state investment board, commission on  
20 judicial conduct, legislative ethics board, liquor control board,  
21 lottery commission, marine oversight board, Pacific Northwest electric  
22 power and conservation planning council, parks and recreation  
23 commission, (~~personnel appeals board,~~) board of pilotage  
24 commissioners, pollution control hearings board, public disclosure  
25 commission, public pension commission, shorelines hearing board, public  
26 employees' benefits board, salmon recovery funding board, board of tax  
27 appeals, transportation commission, University of Washington board of  
28 regents, utilities and transportation commission, Washington state  
29 maritime commission, Washington personnel resources board, Washington  
30 public power supply system executive board, Washington State University  
31 board of regents, Western Washington University board of trustees, and  
32 fish and wildlife commission.

33 **Sec. 903.** RCW 42.17.241 and 1995 c 397 s 9 are each amended to  
34 read as follows:

35 (1) The statement of financial affairs required by RCW 42.17.240  
36 (as recodified by this act) shall disclose the following information

1 for the reporting individual and each member of his or her immediate  
2 family:

3 (a) Occupation, name of employer, and business address; ~~((and))~~

4 (b) Each bank ~~((or))~~ account, savings account ~~((or))~~, and insurance  
5 policy in which ~~((any such person or persons owned))~~ a direct financial  
6 interest ~~((that exceeded five))~~ was held that exceeds fifteen thousand  
7 dollars at any time during the reporting period; each other item of  
8 intangible personal property in which ~~((any such person or persons~~  
9 ~~owned))~~ a direct financial interest ~~((, the value of which exceeded))~~  
10 was held that exceeds one thousand five hundred dollars during the  
11 reporting period; the name, address, and nature of the entity; and the  
12 nature and highest value of each ~~((such))~~ direct financial interest  
13 during the reporting period; ~~((and))~~

14 (c) The name and address of each creditor to whom the value of one  
15 thousand five hundred dollars or more was owed; the original amount of  
16 each debt to each ~~((such))~~ creditor; the amount of each debt owed to  
17 each creditor as of the date of filing; the terms of repayment of each  
18 ~~((such))~~ debt; and the security given, if any, for each ~~((such))~~  
19 debt ~~((: PROVIDED, That))~~. Debts arising ((out of)) from a "retail  
20 installment transaction" as defined in chapter 63.14 RCW (retail  
21 installment sales act) need not be reported; ~~((and))~~

22 (d) Every public or private office, directorship, and position held  
23 as trustee; ~~((and))~~

24 (e) All persons for whom any legislation, rule, rate, or standard  
25 has been prepared, promoted, or opposed for current or deferred  
26 compensation ~~((: PROVIDED, That))~~. For the purposes of this  
27 subsection, "compensation" does not include payments made to the person  
28 reporting by the governmental entity for which ~~((such))~~ the person  
29 serves as an elected official or state executive officer or  
30 professional staff member for his or her service in office; the  
31 description of such actual or proposed legislation, rules, rates, or  
32 standards; and the amount of current or deferred compensation paid or  
33 promised to be paid; ~~((and))~~

34 (f) The name and address of each governmental entity, corporation,  
35 partnership, joint venture, sole proprietorship, association, union, or  
36 other business or commercial entity from whom compensation has been  
37 received in any form of a total value of one thousand five hundred

1 dollars or more; the value of the compensation; and the consideration  
2 given or performed in exchange for the compensation; ~~((and))~~

3 (g) The name of any corporation, partnership, joint venture,  
4 association, union, or other entity in which is held any office,  
5 directorship, or any general partnership interest, or an ownership  
6 interest of ten percent or more; the name or title of that office,  
7 directorship, or partnership; the nature of ownership interest; and  
8 ~~((with respect to each such entity))~~: (i) With respect to a  
9 governmental unit in which the official seeks or holds any office or  
10 position, if the entity has received compensation in any form during  
11 the preceding twelve months from the governmental unit, the value of  
12 the compensation and the consideration given or performed in exchange  
13 for the compensation; and (ii) the name of each governmental unit,  
14 corporation, partnership, joint venture, sole proprietorship,  
15 association, union, or other business or commercial entity from which  
16 the entity has received compensation in any form in the amount of  
17 ~~((two))~~ seven thousand five hundred dollars or more during the  
18 preceding twelve months and the consideration given or performed in  
19 exchange for the compensation~~((: PROVIDED, That the term))~~. As used  
20 in (g)(ii) of this subsection, "compensation" ~~((for purposes of this~~  
21 ~~subsection (1)(g)(ii))~~) does not include payment for water and other  
22 utility services at rates approved by the Washington state utilities  
23 and transportation commission or the legislative authority of the  
24 public entity providing the service~~((: PROVIDED, FURTHER, That))~~.  
25 With respect to any bank or commercial lending institution in which is  
26 held any office, directorship, partnership interest, or ownership  
27 interest, it shall only be necessary to report either the name,  
28 address, and occupation of every director and officer of the bank or  
29 commercial lending institution and the average monthly balance of each  
30 account held during the preceding twelve months by the bank or  
31 commercial lending institution from the governmental entity for which  
32 the individual is an official or candidate or professional staff  
33 member, or all interest paid by a borrower on loans from and all  
34 interest paid to a depositor by the bank or commercial lending  
35 institution if the interest exceeds ~~((six))~~ one thousand eight hundred  
36 dollars; ~~((and))~~

37 (h) A list, including legal or other sufficient descriptions as  
38 prescribed by the commission, of all real property in the state of

1 Washington, the assessed valuation of which exceeds ~~((two))~~ seven  
2 thousand five hundred dollars in which any direct financial interest  
3 was acquired during the preceding calendar year, and a statement of the  
4 amount and nature of the financial interest and of the consideration  
5 given in exchange for that interest; ~~((and))~~

6 (i) A list, including legal or other sufficient descriptions as  
7 prescribed by the commission, of all real property in the state of  
8 Washington, the assessed valuation of which exceeds ~~((two))~~ seven  
9 thousand five hundred dollars in which any direct financial interest  
10 was divested during the preceding calendar year, and a statement of the  
11 amount and nature of the consideration received in exchange for that  
12 interest, and the name and address of the person furnishing the  
13 consideration; ~~((and))~~

14 (j) A list, including legal or other sufficient descriptions as  
15 prescribed by the commission, of all real property in the state of  
16 Washington, the assessed valuation of which exceeds ~~((two))~~ seven  
17 thousand five hundred dollars in which a direct financial interest was  
18 held~~((: PROVIDED, That))~~. If a description of the property has been  
19 included in a report previously filed, the property may be listed, for  
20 purposes of this ~~((provision))~~ subsection (1)(j), by reference to the  
21 previously filed report; ~~((and))~~

22 (k) A list, including legal or other sufficient descriptions as  
23 prescribed by the commission, of all real property in the state of  
24 Washington, the assessed valuation of which exceeds ~~((five))~~ fifteen  
25 thousand dollars, in which a corporation, partnership, firm,  
26 enterprise, or other entity had a direct financial interest, in which  
27 corporation, partnership, firm, or enterprise a ten percent or greater  
28 ownership interest was held; ~~((and))~~

29 (l) A list of each occasion, specifying date, donor, and amount, at  
30 which food and beverage in excess of fifty dollars was accepted under  
31 RCW 42.52.150(5); ~~((and))~~

32 (m) A list of each occasion, specifying date, donor, and amount, at  
33 which items specified in RCW 42.52.010~~((+9))~~ (10) (d) and (f) were  
34 accepted; ~~((and))~~ and

35 (n) Such other information as the commission may deem necessary in  
36 order to properly carry out the purposes and policies of this chapter,  
37 as the commission shall prescribe by rule.

1 (2) Where an amount is required to be reported under subsection  
2 (1)(a) through (m) of this section, it shall be sufficient to comply  
3 with the requirement to report whether the amount is less than (~~one~~)  
4 three thousand dollars, at least (~~one~~) three thousand dollars but  
5 less than (~~five~~) fifteen thousand dollars, at least (~~five~~) fifteen  
6 thousand dollars but less than (~~ten~~) thirty thousand dollars, at  
7 least (~~ten~~) thirty thousand dollars but less than (~~twenty-five~~)  
8 seventy-five thousand dollars, or (~~twenty-five~~) seventy-five thousand  
9 dollars or more. An amount of stock may be reported by number of  
10 shares instead of by market value. No provision of this subsection may  
11 be interpreted to prevent any person from filing more information or  
12 more detailed information than required.

13 (3) Items of value given to an official's or employee's spouse or  
14 family member are attributable to the official or employee, except the  
15 item is not attributable if an independent business, family, or social  
16 relationship exists between the donor and the spouse or family member.

17 **Sec. 904.** RCW 42.17.242 and 1977 ex.s. c 336 s 4 are each amended  
18 to read as follows:

19 No payment shall be made to any person required to report under RCW  
20 42.17.240 (as recodified by this act) and no payment shall be accepted  
21 by any such person, directly or indirectly, in a fictitious name,  
22 anonymously, or by one person through an agent, relative, or other  
23 person in such a manner as to conceal the identity of the source of the  
24 payment or in any other manner so as to effect concealment (~~except~~  
25 ~~that~~). The commission may issue categorical and specific exemptions  
26 to the reporting of the actual source when there is an undisclosed  
27 principal for recognized legitimate business purposes.

28 **PART 10**  
29 **ENFORCEMENT**

30 **Sec. 1001.** RCW 42.17.390 and 2006 c 315 s 2 are each amended to  
31 read as follows:

32 One or more of the following civil remedies and sanctions may be  
33 imposed by court order in addition to any other remedies provided by  
34 law:

1 (1) If the court finds that the violation of any provision of this  
2 chapter by any candidate or political committee probably affected the  
3 outcome of any election, the result of ~~((said))~~ that election may be  
4 held void and a special election held within sixty days of ~~((such))~~ the  
5 finding. Any action to void an election shall be commenced within one  
6 year of the date of the election in question. It is intended that this  
7 remedy be imposed freely in all appropriate cases to protect the right  
8 of the electorate to an informed and knowledgeable vote.

9 (2) If any lobbyist or sponsor of any grass roots lobbying campaign  
10 violates any of the provisions of this chapter, his or her registration  
11 may be revoked or suspended and he or she may be enjoined from  
12 receiving compensation or making expenditures for lobbying(~~(+~~  
13 ~~PROVIDED, HOWEVER, That~~)). The imposition of ~~((such))~~ a sanction shall  
14 not excuse ~~((said))~~ the lobbyist from filing statements and reports  
15 required by this chapter.

16 (3) ~~((Any))~~ A person who violates any of the provisions of this  
17 chapter may be subject to a civil penalty of not more than ten thousand  
18 dollars for each ~~((such))~~ violation. However, a person or entity who  
19 violates RCW 42.17.640 (as recodified by this act) may be subject to a  
20 civil penalty of ten thousand dollars or three times the amount of the  
21 contribution illegally made or accepted, whichever is greater.

22 (4) ~~((Any))~~ A person who fails to file a properly completed  
23 statement or report within the time required by this chapter may be  
24 subject to a civil penalty of ten dollars per day for each day each  
25 ~~((such))~~ delinquency continues.

26 (5) ~~((Any))~~ A person who fails to report a contribution or  
27 expenditure as required by this chapter may be subject to a civil  
28 penalty equivalent to the amount not reported as required.

29 (6) The court may enjoin any person to prevent the doing of any act  
30 herein prohibited, or to compel the performance of any act required  
31 herein.

32 **Sec. 1002.** RCW 42.17.395 and 2006 c 315 s 3 are each amended to  
33 read as follows:

34 (1) The commission may (a) determine whether an actual violation of  
35 this chapter has occurred; and (b) issue and enforce an appropriate  
36 order following such a determination.

1 (2) The commission, in cases where it chooses to determine whether  
2 an actual violation has occurred, shall hold a hearing pursuant to the  
3 administrative procedure act, chapter 34.05 RCW, to make ((~~such~~)) a  
4 determination. Any order that the commission issues under this section  
5 shall be pursuant to such a hearing.

6 (3) In lieu of holding a hearing or issuing an order under this  
7 section, the commission may refer the matter to the attorney general or  
8 other enforcement agency as provided in RCW 42.17.360 (as recodified by  
9 this act).

10 (4) The person against whom an order is directed under this section  
11 shall be designated as the respondent. The order may require the  
12 respondent to cease and desist from the activity that constitutes a  
13 violation and in addition, or alternatively, may impose one or more of  
14 the remedies provided in RCW 42.17.390 (2) through (5) (as recodified  
15 by this act). No individual penalty assessed by the commission may  
16 exceed one thousand seven hundred dollars, and in any case where  
17 multiple violations are involved in a single complaint or hearing, the  
18 maximum aggregate penalty may not exceed four thousand two hundred  
19 dollars.

20 (5) An order issued by the commission under this section shall be  
21 subject to judicial review under the administrative procedure act,  
22 chapter 34.05 RCW. If the commission's order is not satisfied and no  
23 petition for review is filed within thirty days ((~~as provided in RCW~~  
24 ~~34.05.542~~)), the commission may petition a court of competent  
25 jurisdiction of any county in which a petition for review could be  
26 filed under that section, for an order of enforcement. Proceedings in  
27 connection with the commission's petition shall be in accordance with  
28 RCW 42.17.397 (as recodified by this act).

29 **Sec. 1003.** RCW 42.17.397 and 1989 c 175 s 92 are each amended to  
30 read as follows:

31 The following procedure shall apply in all cases where the  
32 commission has petitioned a court of competent jurisdiction for  
33 enforcement of any order it has issued pursuant to this chapter:

34 (1) A copy of the petition shall be served by certified mail  
35 directed to the respondent at his or her last known address. The court  
36 shall issue an order directing the respondent to appear at a time

1 designated in the order, not less than five days from the date thereof,  
2 and show cause why the commission's order should not be enforced  
3 according to its terms.

4 (2) The commission's order shall be enforced by the court if the  
5 respondent does not appear, or if the respondent appears and the court  
6 finds, pursuant to a hearing held for that purpose:

- 7 (a) That the commission's order is unsatisfied; (~~and~~)
- 8 (b) That the order is regular on its face; and
- 9 (c) That the respondent's answer discloses no valid reason why the  
10 commission's order should not be enforced or that the respondent had an  
11 appropriate remedy by review under RCW 34.05.570(3) and failed to avail  
12 himself or herself of that remedy without valid excuse.

13 (3) Upon appropriate application by the respondent, the court may,  
14 after hearing and for good cause, alter, amend, revise, suspend, or  
15 postpone all or part of the commission's order. In any case where the  
16 order is not enforced by the court according to its terms, the reasons  
17 for the court's actions shall be clearly stated in writing, and  
18 (~~such~~) the action shall be subject to review by the appellate courts  
19 by certiorari or other appropriate proceeding.

20 (4) The court's order of enforcement, when entered, shall have the  
21 same force and effect as a civil judgment.

22 (5) Notwithstanding RCW 34.05.578 through 34.05.590, this section  
23 is the exclusive method for enforcing an order of the commission.

24 **Sec. 1004.** RCW 42.17.400 and 1975 1st ex.s. c 294 s 27 are each  
25 amended to read as follows:

26 (1) The attorney general and the prosecuting authorities of  
27 political subdivisions of this state may bring civil actions in the  
28 name of the state for any appropriate civil remedy, including but not  
29 limited to the special remedies provided in RCW 42.17.390 (as  
30 recodified by this act).

31 (2) The attorney general and the prosecuting authorities of  
32 political subdivisions of this state may investigate or cause to be  
33 investigated the activities of any person who there is reason to  
34 believe is or has been acting in violation of this chapter, and may  
35 require any such person or any other person reasonably believed to have  
36 information concerning the activities of such person to appear at a  
37 time and place designated in the county in which such person resides or

1 is found, to give such information under oath and to produce all  
2 accounts, bills, receipts, books, paper and documents which may be  
3 relevant or material to any investigation authorized under this  
4 chapter.

5 (3) When the attorney general or the prosecuting authority of any  
6 political subdivision of this state requires the attendance of any  
7 person to obtain such information or (~~the production of~~) produce the  
8 accounts, bills, receipts, books, papers, and documents (~~which~~) that  
9 may be relevant or material to any investigation authorized under this  
10 chapter, he or she shall issue an order setting forth the time when and  
11 the place where attendance is required and shall cause the same to be  
12 delivered to or sent by registered mail to the person at least fourteen  
13 days before the date fixed for attendance. (~~Such~~) The order shall  
14 have the same force and effect as a subpoena, shall be effective  
15 statewide, and, upon application of the attorney general or (~~said~~)  
16 the prosecuting authority, obedience to the order may be enforced by  
17 any superior court judge in the county where the person receiving it  
18 resides or is found, in the same manner as though the order were a  
19 subpoena. The court, after hearing, for good cause, and upon  
20 application of any person aggrieved by the order, shall have the right  
21 to alter, amend, revise, suspend, or postpone all or any part of its  
22 provisions. In any case where the order is not enforced by the court  
23 according to its terms, the reasons for the court's actions shall be  
24 clearly stated in writing, and (~~such~~) the action shall be subject to  
25 review by the appellate courts by certiorari or other appropriate  
26 proceeding.

27 (4) (~~Any~~) A person who has notified the attorney general and the  
28 prosecuting attorney in the county in which the violation occurred in  
29 writing that there is reason to believe that some provision of this  
30 chapter is being or has been violated may himself or herself bring in  
31 the name of the state any of the actions (hereinafter referred to as a  
32 citizen's action) authorized under this chapter. This citizen action  
33 may be brought only if the attorney general and the prosecuting  
34 attorney have failed to commence an action hereunder within forty-five  
35 days after (~~such~~) the notice and (~~such~~) the person has thereafter  
36 further notified the attorney general and prosecuting attorney that  
37 (~~said~~) the person will commence a citizen's action within ten days  
38 upon their failure (~~so~~) to do so, and the attorney general and the

1 prosecuting attorney have in fact failed to bring such an action within  
2 ten days of receipt of (~~said~~) the second notice. If the person who  
3 brings the citizen's action prevails, the judgment awarded shall  
4 escheat to the state, but he or she shall be entitled to be reimbursed  
5 by the state of Washington for costs and (~~attorney's~~) attorneys' fees  
6 he or she has incurred(~~(:—PROVIDED, That))~~). In the case of a  
7 citizen's action (~~which~~) that is dismissed and (~~which~~) that the  
8 court also finds was brought without reasonable cause, the court may  
9 order the person commencing the action to pay all costs of trial and  
10 reasonable (~~attorney's~~) attorneys' fees incurred by the defendant.

11 (5) In any action brought under this section, the court may award  
12 to the state all costs of investigation and trial, including ((a))  
13 reasonable (~~attorney's~~) attorneys' fees to be fixed by the court. If  
14 the violation is found to have been intentional, the amount of the  
15 judgment, which shall for this purpose include the costs, may be  
16 trebled as punitive damages. If damages or trebled damages are awarded  
17 in such an action brought against a lobbyist, the judgment may be  
18 awarded against the lobbyist, and the lobbyist's employer or employers  
19 joined as defendants, jointly, severally, or both. If the defendant  
20 prevails, he or she shall be awarded all costs of trial, and may be  
21 awarded ((a)) reasonable (~~attorney's~~) attorneys' fees to be fixed by  
22 the court to be paid by the state of Washington.

23 NEW SECTION. Sec. 1005. A new section is added to chapter 42.56  
24 RCW to read as follows:

25 (1) "Public record" includes any writing containing information  
26 relating to the conduct of government or the performance of any  
27 governmental or proprietary function prepared, owned, used, or retained  
28 by any state or local agency regardless of physical form or  
29 characteristics. For the office of the secretary of the senate and the  
30 office of the chief clerk of the house of representatives, "public  
31 records" means legislative records as defined in RCW 40.14.100 and also  
32 means the following: All budget and financial records; personnel  
33 leave, travel, and payroll records; records of legislative sessions;  
34 reports submitted to the legislature; and any other record designated  
35 a public record by any official action of the senate or the house of  
36 representatives.

1 (2) "Writing" means handwriting, typewriting, printing,  
2 photostating, photographing, and every other means of recording any  
3 form of communication or representation, including, but not limited to,  
4 letters, words, pictures, sounds, or symbols, or combination thereof,  
5 and all papers, maps, magnetic or paper tapes, photographic films and  
6 prints, motion picture, film and video recordings, magnetic or punched  
7 cards, discs, drums, diskettes, sound recordings, and other documents  
8 including existing data compilations from which information may be  
9 obtained or translated.

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11

**PART 11**  
**MISCELLANEOUS PROVISIONS**

12 NEW SECTION. **Sec. 1101.** When RCW 42.17.020 (as recodified by this  
13 act) is codified, the code reviser shall alphabetize and renumber the  
14 definitions.

15 NEW SECTION. **Sec. 1102.** When RCW 42.17.2401 (as recodified by  
16 this act) is codified, the code reviser shall arrange the names of the  
17 agencies in each subsection in alphabetical order, arranged according  
18 to the first distinctive word of each agency's name.

19 NEW SECTION. **Sec. 1103.** PART HEADINGS AND CAPTIONS NOT LAW. Part  
20 headings and captions used in this act are not any part of the law.

21 NEW SECTION. **Sec. 1104.** The following sections are recodified as  
22 a new chapter in Title 42 RCW, to be codified as chapter 42.17A RCW, in  
23 the following order with the following subchapter headings:

24 GENERAL PROVISIONS

25 RCW 42.17.010

26 RCW 42.17.020

27 RCW 42.17.035

28 RCW 42.17.440

29 ELECTRONIC ACCESS

30 RCW 42.17.367

31 RCW 42.17.369

32 RCW 42.17.460

33 RCW 42.17.461

1 RCW 42.17.463  
2 ADMINISTRATION  
3 RCW 42.17.350  
4 RCW 42.17.360  
5 RCW 42.17.370  
6 Section 304 of this act  
7 RCW 42.17.690  
8 RCW 42.17.380  
9 RCW 42.17.405  
10 RCW 42.17.420  
11 RCW 42.17.430  
12 RCW 42.17.450  
13 CAMPAIGN FINANCE REPORTING  
14 RCW 42.17.030  
15 RCW 42.17.040  
16 RCW 42.17.050  
17 Section 404 of this act  
18 RCW 42.17.060  
19 RCW 42.17.065  
20 RCW 42.17.067  
21 RCW 42.17.080  
22 RCW 42.17.090  
23 RCW 42.17.3691  
24 RCW 42.17.093  
25 RCW 42.17.100  
26 RCW 42.17.103  
27 RCW 42.17.105  
28 RCW 42.17.550  
29 RCW 42.17.561  
30 RCW 42.17.565  
31 RCW 42.17.570  
32 RCW 42.17.575  
33 RCW 42.17.135  
34 POLITICAL ADVERTISING AND ELECTIONEERING COMMUNICATIONS  
35 RCW 42.17.510  
36 RCW 42.17.520  
37 RCW 42.17.530  
38 RCW 42.17.540

1 RCW 42.17.110  
2 CAMPAIGN CONTRIBUTION LIMITS AND OTHER RESTRICTIONS  
3 RCW 42.17.610  
4 RCW 42.17.640  
5 RCW 42.17.645  
6 RCW 42.17.700  
7 Section 603 of this act  
8 RCW 42.17.070  
9 RCW 42.17.095  
10 RCW 42.17.120  
11 Section 606 of this act  
12 RCW 42.17.125  
13 RCW 42.17.650  
14 RCW 42.17.660  
15 RCW 42.17.670  
16 RCW 42.17.720  
17 RCW 42.17.730  
18 RCW 42.17.740  
19 RCW 42.17.770  
20 RCW 42.17.780  
21 RCW 42.17.790  
22 RCW 42.17.680  
23 RCW 42.17.760  
24 PUBLIC OFFICIALS, EMPLOYEES, AND AGENCIES CAMPAIGN RESTRICTIONS AND  
25 PROHIBITIONS--REPORTING  
26 RCW 42.17.128  
27 RCW 42.17.130  
28 RCW 42.17.710  
29 RCW 42.17.750  
30 RCW 42.17.245  
31 LOBBYING DISCLOSURE AND RESTRICTIONS  
32 RCW 42.17.150  
33 RCW 42.17.155  
34 RCW 42.17.160  
35 RCW 42.17.170  
36 RCW 42.17.172  
37 RCW 42.17.175  
38 RCW 42.17.180

1 RCW 42.17.190  
2 RCW 42.17.200  
3 RCW 42.17.210  
4 RCW 42.17.220  
5 RCW 42.17.230  
6 PERSONAL FINANCIAL AFFAIRS REPORTING BY CANDIDATES AND PUBLIC OFFICIALS  
7 RCW 42.17.240  
8 RCW 42.17.2401  
9 RCW 42.17.241  
10 RCW 42.17.242  
11 ENFORCEMENT  
12 RCW 42.17.390  
13 RCW 42.17.395  
14 RCW 42.17.397  
15 RCW 42.17.400  
16 RCW 42.17.410  
17 TECHNICAL PROVISIONS  
18 RCW 42.17.900  
19 RCW 42.17.910  
20 RCW 42.17.911  
21 RCW 42.17.912  
22 RCW 42.17.920  
23 RCW 42.17.930  
24 RCW 42.17.940  
25 RCW 42.17.945  
26 RCW 42.17.950  
27 RCW 42.17.955  
28 RCW 42.17.960  
29 RCW 42.17.961  
30 RCW 42.17.962  
31 RCW 42.17.963  
32 RCW 42.17.964  
33 RCW 42.17.965  
34 RCW 42.17.966

35 NEW SECTION. **Sec. 1105.** The following acts or parts of acts are  
36 each repealed:

- 1 (1) RCW 42.17.131 (Exemption from RCW 42.17.130) and 1994 c 154 s  
2 317;
- 3 (2) RCW 42.17.362 (Toll-free telephone number) and 2000 c 237 s 6;
- 4 (3) RCW 42.17.365 (Audits and investigations) and 1999 c 401 s 8 &  
5 1993 c 2 s 29;
- 6 (4) RCW 42.17.375 (Reports filed with county elections official--  
7 Rules governing) and 1983 c 294 s 1;
- 8 (5) RCW 42.17.465 (Information technology plan--Contents) and 1999  
9 c 401 s 4;
- 10 (6) RCW 42.17.467 (Information technology plan--Consultation) and  
11 1999 c 401 s 5;
- 12 (7) RCW 42.17.469 (Information technology plan--Submission) and  
13 1999 c 401 s 6;
- 14 (8) RCW 42.17.471 (Access performance reports) and 1999 c 401 s 7;
- 15 (9) RCW 42.17.562 (Intent) and 2005 c 445 s 2;
- 16 (10) RCW 42.17.620 (Intent) and 1993 c 2 s 2; and
- 17 (11) RCW 42.17.647 (Rules) and 2006 c 348 s 3.

18 NEW SECTION. **Sec. 1106.** This act takes effect July 1, 2008.

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